

APPENDIX
TO THE
REPORT
OF
THE COMMISSIONERS.

Volume III.

MINUTES OF EVIDENCE

RELATING TO THE

INDIAN AND PROVINCIAL CIVIL SERVICES

Taken at Calcutta, from the 23rd to the 31st January, and on the 18th February; also at Delhi, on the 22nd February, 1913,

WITH

APPENDICES.

Presented to both Houses of Parliament by Command of His Majesty.



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NOTE.

The numbering of the Questions is consecutive throughout. The sub-numbers in brackets correspond with the numbers in the printed sets of Questions marked **A** and **B**, which were issued to official and non-official witnesses respectively, and which will be found on pages v—xxxviii of this Volume.

A.

QUESTIONS RELATING TO THE INDIAN CIVIL SERVICE.

METHODS OF RECRUITMENT.

(a) General.

1. What is your experience of the working of the present system of recruitment by open competitive examination for the Indian Civil Service? Do you accept it as generally satisfactory in principle?

2. In what respects, if any, do you find the present system faulty in detail, and what alterations would you suggest?

3. Is the system equally suitable for the admission of "Natives of India"* and of other natural-born subjects of His Majesty? If not, what alteration do you recommend?

*The term "Natives of India" has been defined in section 6 of the Government of India Act, 1870 (33 Vict., c. 3), as including any persons born and domiciled within the Dominions of His Majesty in India of parents habitually resident in India and not established there for temporary purposes only; and the term has been so used throughout these questions.

4. Further, is any differentiation desirable between other classes of natural-born subjects of His Majesty? If so, what do you propose?

5. Do you consider that the combination of the open competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Service is, or is not, to the advantage of Indian interests? Please give your reasons.

6. If you do not consider the present system of recruitment by an open competitive examination to be satisfactory in principle, please state what alternative you would propose. Do you recommend a system based on any of the following principles—(a) selection by headmasters of schools approved or otherwise, (b) selection by authorities in Universities approved or otherwise, (c) nomination by head-masters or University authorities and selection under the orders of the Secretary of State, (d) combined nomination and examination, (e) any other method?

7. What is your opinion regarding a system of simultaneous examination in India and in England, open in both cases to all natural-born subjects of His Majesty?

8. Are you in favour of holding this examination simultaneously at any other centre or centres within His Majesty's Dominions?

9. What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service cadre by "Natives of India" recruited by means of a separate examination in India or by means of separate examinations in each province or group of provinces in India? If so, what proportion do you recommend?

10. If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which "Natives of India" would be selected in India for admission to the Indian Civil Service by means of (a) nomination; (b) combined nomination and examination; or (c) any other method? If so, please describe fully what system you would recommend? In particular, do you consider it desirable that whatever the system, all classes and communities should be represented? If so, how would you give effect to this principle?

11. If you are in favour of a system for the part recruitment of the Indian Civil Service by "Natives of India" in India, do you consider that "Natives of India" should still be eligible for appointment in England, or would you restrict that right to other natural-born subjects of His Majesty?

12. Would you regard any system of selection in India which you may recommend for young men who are "Natives of India" as being in lieu of, or as supplementary to, the present system of promoting to listed posts—officers of the Provincial Civil Services? If the former, what alteration, if any, would you recommend in the conditions governing the Provincial Civil Services?

13. Do you recommend any separate method of recruitment for the Judicial Branch of the Indian Civil Service? If so, please describe the system that you would propose.

14. Are you satisfied with the present definition of the term "Natives of India" in section 6 of the Government of India Act, 1870 (33 Vict., c. 3), as including "any person born and domiciled within the Dominions of His Majesty in India, of parents habitually resident in India, and not established there for temporary purposes only," irrespective of whether such persons are of unmixed Indian descent, or of mixed European and Indian descent, or of unmixed European descent? If not, please state fully any proposals that you wish to make in regard to this matter.

(b) Age-limits.

15. If the system of recruitment by open competitive examination in England is retained, please state the age-limits that you recommend for candidates at such examination, giving your full reasons. Do you consider that the age-limits should be fixed to attract candidates of the normal school-leaving age in England, or candidates who have completed a University course, or candidates at an intermediate stage of education?

*The principal changes in the age-limits have been as follows:—

| Years. | Age-limits at open competition. | Period of probation in England. | Age of selected candidates at end of year of arrival in India. |
|-------------------|-----------------------------------|--------------------------------------|--|
| 1855–1857 | 18–23 years | No probation in England | 18½–23½ |
| 1860–1865 | 18–23 years | One year's probation | 19½–23½ |
| 1866–1878 | 17–21 years on 1st March | Two years' probation | 19½–23½ |
| 1878–1891 | 17–19 years on 1st January | Two or three years' probation | 20–23 |
| 1892–1895 | 21–23 years on 1st April | One year's probation | 22½–24½ |
| 1896–1905 | 21–23 years on 1st January | Ditto | 23–25 |
| Since 1906 | 22–24 years on 1st August | Ditto | 23½–25½ |

A.—Indian Civil Service.]

METHODS OF RECRUITMENT.—*contd.*(b) *Age-limits—conold.*

16. What is your experience of the relative merits of the candidates selected under varying age-limits, particularly under the systems in force from 1878 to 1891 (age-limits 17—19 years, followed by two or three years' probation at an approved University) and since 1891 (age-limits 21—23 or 22—24 years, followed by one year's probation) ?

17. What is your opinion regarding the suitability of the recent recruits to the Indian Civil Service ?

18. What is the most suitable age at which junior civilians should arrive in India ?

19. What age-limits for the open competitive examination in England would best suit candidates who are "Natives of India," and for what reasons ? Do you recommend any differentiation between the age-limits for "Natives of India" and for other natural-born subjects of His Majesty ?

(c) *Subjects of Examination.*

20. On what principle should the subjects for the open competitive examination be fixed ? Do you accept the principle laid down by Lord Macaulay's Committee in 1854, and since followed, that the examination should be of such a nature that no candidate who may fail shall, to whatever calling he may devote himself, have any reason to regret the time and labour which he had spent in preparing himself to be examined, and that the object should be to secure, not specialists in any particular subject that may be useful in a subsequent Indian career, but the ordinary well-educated young man of the period ?

21. Please examine the table in Appendix I to these questions, which shows the various phases of the authorized syllabus of the open competitive examination, and state what changes, if any, are, in your opinion, desirable, differentiating between the cases of candidates (a) of school-leaving age, and (b) of University-leaving age ?

22. Is any differentiation in the subjects for the examination desirable between candidates who are "Natives of India" and other candidates ? If so, please state them and give reasons.

(d) *Statutory Regulations.*

23. Do you consider it necessary that certain posts should be reserved by statute for officers recruited to the Indian Civil Service, and, if so, what posts and for what reasons ? Please state in detail what alterations (if any) you recommend in the Schedule of the Indian Civil Service Act of 1861 (24 and 25 Vict., c. 54). [Attention is invited to the provisions of the Indian Civil Service Act, 1861 (24 and 25 Vict., c. 54), and of the Government of India Act, 1870 (33 Vict., c. 3), reproduced as Appendices II and III to these questions.]

24. Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the Civil Administration ? If so, to what proportion of the posts included in the Indian Civil Service cadre do you consider that "Natives of India" might, under present conditions, properly be admitted ?

25. Do you accept as generally satisfactory in principle the present system under which "Natives of India" are recruited partly through the medium of an open competitive examination in England, and partly by special arrangement in India, in accordance either with rules framed under the provisions of section 6 of the Government of India Act, 1870 (33 Vict., c. 3), or with the provisions of the Indian Civil Service Act, 1861 (24 and 25 Vict., c. 54) ? Do you recommend any alterations in this system, and, if so, what ?

26. Give a list of the "Natives of India" now serving in your province who were recruited to the Indian Civil Service by means of open competition in England, stating in what year they were admitted, in which posts they are now serving, and their present rate of salary.

27. Have the "Natives of India," recruited by means of open competition in England, proved, on the average, as efficient as the European members of the Indian Civil Service of the same standing and recruited in the same manner ? Has it been found possible and expedient to employ them in all branches of the administration, whether on executive or judicial duties ?

28. Do you consider that the old system of appointment of "Statutory Civilians" under the Statute of 1870 should be revived, and, if so, what method of recruitment would you recommend ?

(e) *Mixed Commissions.*

29. What experience have you had of military or other officers who have been specially recruited in India to fill Indian Civil Service posts, and how many such officers are employed in your province ? Please distinguish in your reply between (a) military officers, and (b) others; and give details of the latter.

30. Have such officers proved on the average as efficient as members of the Indian Civil Service filling posts of similar responsibility ? Has it been possible and expedient to employ them in all branches of the Administration, whether on executive or judicial duties ?

31. If the system of recruiting military officers in India has been stopped, or has never existed in your province, would you advise its re-introduction or introduction, as the case may be, and if the system should be introduced or re-introduced, to what extent should it be adopted ?

32. Do you consider that such a system should be restricted to the recruitment of military officers or extended to the recruitment of selected officers from other Indian services ?

(f) *Listed Posts, etc.*

33. Please now refer to the rules, dated 26th August 1910, made in exercise of the powers conferred by section 6 of the Government of India Act, 1870 (33 Vict., c. 3) and reproduced as Appendix IV, and to the statement in Appendix V to these questions, showing the number of offices,

[A.—Indian Civil Service.

METHODS OF RECRUITMENT.—*conold.*(f) *Listed Posts, etc.*—*conold.*

places and appointments, commonly known as listed posts, ordinarily held by members of the Indian Civil Service, to fill which it has been declared that members of the Provincial Civil Service can properly be appointed; and say whether the figures given are correct for your province.

34. Are all the posts thus listed ordinarily and regularly filled by "Natives of India"? If not, please state for the last five years to what extent there has been any failure to work up to the authorized list, and explain the reasons.

35. To what extent also during the last five years have these listed posts been filled—(a) by members of the Provincial Civil Service; (b) by other "Natives of India"? Please give the names and positions of the latter, if any.

36. Has the power to fill one-quarter of the listed posts with "Natives of India" other than members of the Provincial Civil Service or Statutory Civilians been ordinarily and regularly exercised? If not, can you give the reasons for this, and do you think it advisable that the power should be utilized and in what directions?

37. Does the system by which most of the inferior listed posts are merged in the Provincial Civil Service give satisfaction—(a) to the members of the Provincial Civil Service; and (b) to the public interested in this question; and what advantages, if any, does this arrangement possess?

38. Is the class of posts listed suitable? If not, in what directions would you suggest any changes; and why?

39. Have the officers of the Provincial Civil Service, selected to fill listed posts, proved on the average as efficient as members of the Indian Civil Service filling posts of similar responsibility, and has it been found possible and expedient to employ them in all branches of the Administration?

40. Please now turn to the Indian Civil Service Act, 1861 (24 & 25 Vict., c. 54), which will be found in Appendix II to these questions and say how many "Natives of India" have been appointed permanently to posts in your province under its provisions during the last five years, giving names and the nature of the posts so filled.

41. Are there any other ways in which "Natives of India" are appointed to your province to Civil Service posts? If so, please give details of the same.

42. Please add such remarks as you may desire to offer on any points relating to the system of recruitment for Indian Civil Service posts which are not covered by your answers to the foregoing questions.

SYSTEMS OF TRAINING AND PROBATION.

(a) *Probation.*

43. What is your experience of the results of the existing system under which successful candidates in the open competitive examination are required to undergo a probationer's course of instructions in England? Do you recommend the continuance or abolition of this system?

44. What should be the duration of the probationer's course in England (a) under the present system of the open competitive examination, (b) under any modification of that system recommended by you?

45. Do you consider it desirable that probationers should be required to spend their period of probation in England at an approved University?

46. If so, do you advise the selection of one or more Universities for this purpose and for what reasons?

47. Do you consider that probationers should receive allowances during their period of probation? If so, please give the scale and conditions that you recommend.

48. If you do not advise attendance at an approved University during the period of probation in England, what alternative course of study do you recommend?

49. Would it, in your opinion, be desirable to establish a separate institution in England for this purpose, and, if so, under what conditions?

50. If a probationer's course is continued in England, do you accept the principle laid down by Lord Macaulay's Committee in 1854, that successful candidates in the open competition should be considered as having finished their general education and that their future studies should be such as have a special tendency to fit them for their calling? Does your answer apply equally to candidates who pass the open competitive examination after leaving school and to those who do so after completing a University course?

51. Please examine the statement printed as Appendix VI to these questions, showing the courses of studies prescribed for probationers in 1891 and 1912, and state what alterations (if any) you desire to recommend in the present course (a) under the existing system of the open competitive examination, and (b) under any modification of that system recommended by you.

52. In particular, please state your opinion as to the desirability during the period of probation of (i) compulsory attendance at Law Courts in England and reporting of cases; (ii) the teaching of Indian Law in addition to the general principles of jurisprudence; (iii) the teaching of the grammar and text-books of Indian languages with or without any attempt at colloquial instruction; (iv) the teaching of—(a) Indian Geography, (b) Political Economy, (c) Accounts.

53. Do you consider that the probationer's course of instruction can best be spent in England or in India?

54. What is your opinion of a proposal to start at some suitable place in India a college for the training of probationers of the Indian Civil Service and possibly of other Indian services recruited in England?

A.—Indian Civil Service.]

SYSTEMS OF TRAINING AND PROBATION.—*concl'd.*(a) Probation.—*concl'd.*

55. What is your opinion of a proposal that each Provincial Government should arrange for the training of probationers by suitable courses of instruction for the whole or portions of the first two years of service at some suitable centre?

56. In the report of the Treasury Committee appointed to consider the organization of Oriental Studies in London (1909), the view is taken that the preliminary training in Oriental languages and in law required by probationers can be given better in England than in India, because of the difficulties which junior civilians would experience in learning these subjects in India, the lack of good teachers in Indian district head-quarters, the difficulty of even good Indian teachers appreciating the European students' point of view, and the difficulty of arduous study in a tropical climate. Do you consider that these objections could be met by a suitable scheme of instruction in India?

57. If you have recommended the introduction of any scheme of direct recruitment in India for "Natives of India," whether in lieu of, or supplementary to, the system of recruitment in England, please state what system of probation you recommend for such officers.

58. In particular, if a period of probation is recommended for such officers, do you advise that it should be passed in England or in India?

59. Do you consider that any differentiation is necessary during the period of probation between the course of study for probationers who are "Natives of India" and the course proscribed for other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend?

(b) Training.

60. Are you satisfied with the present arrangements for the training of junior members of the Indian Civil Service after they have taken up their appointments in India? If not, what change should, in your opinion, be introduced?

61. Is the existing system of departmental examinations suitable, and, if not, what change do you recommend?

62. Do you consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service? If so, what are the causes? Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages, and, if not, how could this best be remedied?

63. Do you recommend any changes in the rules for the encouragement of the study of Oriental languages, and, if so, what changes?

64. Please give your views as to what steps (if any) are necessary to improve the proficiency in the knowledge of law of members of the Indian Civil Service, distinguishing between recommendations applicable to all officers and to officers selected for the Judicial Branch. In particular, do you favour a system of granting study leave to Europe, and, if so, what course of study (course for a call to the Bar, reading in barristers' chambers or other), and what conditions do you propose?

65. Do you recommend any special course of study in law in India for officers selected for the Judicial Branch?

66. Do you recommend any special training in subordinate judicial posts for officers selected for the Judicial Branch? If so, please give details.

67. Do you recommend any system for encouraging the higher study of law analogous to the rules for the encouragement of the study of Oriental languages?

68. Is any differentiation desirable in the system of training after appointment in India between members of the Indian Civil Service who are "Natives of India" and other natural-born subjects of His Majesty? If so, please state your proposals.

69. If you have recommended the introduction of any scheme of direct recruitment in India for "Natives of India," whether in lieu of, or supplementary to, the system of recruitment in England, please state what system of training you recommend for such officers.

70. Is any differentiation necessary in regard to the probation and training of members of the Indian Civil Service who are "Natives of India" as between persons of unmixed Indian descent, of mixed European and Indian descent, and of unmixed European descent? If so, please state your proposals.

71. Please add such remarks as you may desire to offer on any points relating to the system of probation and training for the Indian Civil Service which are not covered by your answers to the foregoing questions.

CONDITIONS OF SERVICE.

72. The present theory underlying the conditions of service in the Indian Civil Service is—(a) that the members of the Service should have sufficient training in subordinate or inferior appointments before they are called upon to discharge the duties of higher ones; and (b) that they should, throughout the whole period of their service, have sufficient salaries and sufficiently responsible duties. To secure these objects the number of posts, called technically "superior" posts, carrying a salary of over Rs. 1,000 *per mensem* is ascertained, and it is endeavoured to recruit only sufficient officers to make it probable that each officer will find himself officiating with practical permanency in at least the lowest of those appointments after the completion of eight years' service. Do you accept this system? If so, do you consider that the period of eight years is suitable, or do you recommend any change? What alteration (if any) would be necessary if the age of recruitment were lowered?

73. It is also part of the existing system that officers of over two but under eight years' completed service should fill with practical permanency in the ordinary course of promotion charges of minor responsibility, called technically "inferior" posts, and should be drawing pay at rates above

[A.—Indian Civil Service.]

CONDITIONS OF SERVICE—*concl.*

that of the lowest grade, but not exceeding Rs. 1,000 *per mensem*. Do you accept this as a suitable arrangement? If not, what alteration would you suggest, and for what reasons?

74. Please show in a tabular statement for the last five years, quarter by quarter, with foot-notes giving the names, the total net number of officers who have failed to obtain promotion in accordance with the principles set out in the preceding questions, and say whether any inconvenience, and if so, what, has been caused thereby to the Administration?

75. Please now see the statement marked AA and the list marked—

Madras = A,

Bombay = B,

Bengal = C,

United Provinces = D,

Punjab = E,

Burma = F,

Bihar and Orissa = G,

Central Provinces and Berar = H,

Assam = I,

which have been reproduced in Appendix VII to these questions, and say whether they are correct for your province. If not, please state what amendments are necessary.

76. Is any difficulty experienced by the Administration in working with the number of superior posts shown in the list for your province? Do all the posts entered as superior carry a salary of more than Rs. 1,000 *per mensem*, and are they all such as are ordinarily held by officers in the Indian Civil Service? If not, what changes, if any, do you suggest?

77. Does the number of superior posts shown as held directly under the Government of India correspond with the actual experience of the last five years? If not, please give particulars of the discrepancies, and say whether you consider any change of practice in this respect to be desirable. [Attention is invited in this connexion to List J in Appendix VII to these questions.]

78. Does the number of superior posts allowed for temporary appointments and deputations correspond with the actual experience of (say) the last five years? If not, please give particulars of the discrepancies and say whether you consider any change of practice in this respect to be desirable?

79. Does the arrangement by which officers, recruited against temporary superior posts, are shown in the lowest grade, work satisfactorily? If not, what change of practice appears to you to be necessary?

80. Does the allowance of 39 per cent. on the number of superior posts give the right number of junior officers for the work of the administration of your province? If not, please state what excess or deficiency in your opinion exists, giving your reasons in detail.

81. Junior officers are considered to be under training during the first two years of their service. Does this approximate to the actual conditions? If not, what alteration is necessary in the percentage of 15·5 allowed for training?

82. Does the leave allowance of 32·7 per cent. for superior posts, 6·7 per cent. for inferior posts, and 6 per cent. for training posts, approximate to the actual conditions? If not, please state what alteration is desirable?

83. Does the annual decremental rate of 4·17 per cent. on the total strength of the service correspond with the actual experience of the last 20 years? If not, please give the actual facts for this period and suggest a suitable figure, with reasons in support of the same.

84. Does the theoretical strength of the Service correspond ordinarily with its actual strength? If not, please state the facts and, in particular, offer any remarks which may suggest themselves with regard to the existing discrepancy shown in the statement marked BB which is included in Appendix VII to these questions?

85. Do you consider that the present system of a quinquennial examination of the conditions of service is adequate to regulate the rate of recruitment and flow of promotion? If not, what alterations do you recommend?

86. State the principles on which the annual indent for recruitment to the Indian Civil Service is regulated. Do you consider that accurate results are attained thereby? If not, what alterations do you recommend?

87. Are you satisfied that, under the existing system of promotion, the interests of individual officers and of the Administration are duly reconciled, and have you any suggestions to make regarding it, particularly on the subjects of selection for higher appointments and of the compulsory retirement of inefficient officers?

88. To what extent are the functions of the officers of the Executive and Judicial Branches of the Indian Civil Service differentiated? Is any change desirable, and, if so, in what directions?

89. Have you any other suggestions to make under this head which are not covered by your answers to the above questions and to the questions under the heads relating to salary, leave and pension.

CONDITIONS OF SALARY.

90. Please see the two statements contained in Appendix VIII to these questions showing the various rates of pay drawn by officers holding posts in the Indian Civil Service cadre and the grading of each class of post for the different provinces, and say whether they are correct for your province.

91. Please give full information regarding the rates of pay and the number of posts in each of the main grades of the service authorized on the 1st April of each of the following years: 1860, 1870, 1880, 1890, 1900 and 1912.

92. Are the present rates of pay and grading suitable? If not, what alteration do you recommend?

93. If any dissatisfaction is felt, does it relate to the pay or grading of the higher or lower posts or to both?

94. Do you consider it desirable that there should be uniformity of payment for similar kinds of work in all the provinces, and does any dissatisfaction on this score exist in your province, and, if so, what?

A.—Indian Civil Service.]

CONDITIONS OF SALARY—*concll.*

95. Do you consider that the exchange compensation allowance introduced in 1893, eligibility for which depends on nationality or domicile, should be abolished, and, if so, under what conditions? Should such abolition apply to officers already employed or be restricted to future entrants?

96. If abolition is recommended with compensation in the form of increased salaries, what is your opinion regarding the grant of a similar increase of salary to those members of the Service who now draw no exchange compensation allowance?

97. How does the system of acting allowances work in the case of officers selected to officiate in appointments involving increased responsibility? Is it productive of any inconvenience and have you any suggestion to make on the subject?

98. How is the system of officiating grade promotions, where there is no change of duties, actually worked? Is the system convenient in the interests both of the Government and of the officers of the Service? Have you any recommendations to make for its alteration?

99. What is your opinion regarding the substitution for the existing graded system of promotion of a time-scale of salary? If you are in favour of a time-scale, should it be restricted to the lower grades of the Service or not?

100. As an alternative, do you recommend a system by which each main class of appointment would have a separate time-scale?

101. What is your experience of the practical working of time-scales of pay in other Indian services?

102. If you recommend any system of time-scale of pay, please describe it, and state what conditions should be laid down in regard to the grant of increments, promotion to superior grades, charge allowances, and other matters of importance. How do you propose to apply such time-scale in provinces where the scale of pay of the Judicial and Executive Branches of the Service is different?

103. If you are in favour of a time-scale of pay, how would you secure that the recruitment of junior officers is restricted to the number likely to be promoted in a reasonable time to posts of independent responsibility, and do you or do you not consider it desirable that all members of the Indian Civil Service should have the prospect of rising to such posts within a fixed time?

104. Turning now to the case of the Statutory Civilians and officers of the Provincial Civil Services holding listed posts, do you approve of the arrangement by which they draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rate do you suggest for the various grades of the service?

105. Have you any other proposals to make in regard to the conditions of salary not covered by your answers to the above questions?

CONDITIONS OF LEAVE.

106. Is there any reason to suppose that officers of the Indian Civil Service take more or less leave of any particular kind than they did 5, 10, 15, or 20 years ago? If so, to what is this due?

107. Is all the leave on full pay due to them ordinarily taken by officers of the Indian Civil Service, and, if not, what are the reasons? Is the amount which can be earned in your opinion suitable? If not, what alternative arrangement do you suggest?

108. Is all the furlough due to them ordinarily taken by officers of the Indian Civil Service? Is it necessary to allow for as much furlough as is permissible by the present rules? If not, what change do you suggest?

109. Do you consider that the rates of furlough allowances are suitable? If not, what changes do you recommend?

110. Do you recommend any change in the concession, granted in 1893, under which leave allowances expressed in rupees, other than privilege leave allowances, issued at the Home Treasury, or in a Colony with a gold standard of currency, are issued in sterling at the privilege rate of exchange of 1s. 6d. the rupee? If so, what change?

111. Do you consider that the maximum and minimum limits of leave allowances at present fixed are suitable? Do you recommend any change in the alternative rates fixed in sterling and in rupees, and if so what change?

112. Have you any recommendation to make in regard to special leave, extraordinary leave without allowances, and other forms of leave? Do you consider that the present conditions governing these kinds of leave, and the leave allowances admissible, are suitable?

113. Generally speaking, do any of the present leave rules applicable to the Indian Civil Service cause inconvenience to the Administration, and if so what, and what remedy do you suggest?

114. In particular, are they a contributory cause of excessive transfers of officers of the Indian Civil Service, and, if so, how can this difficulty be met?

115. Do any of the present leave rules press hardly in any way on officers of the Indian Civil Service themselves, and, if so, in what respects? What is, in your opinion, the appropriate remedy?

116. Do the present leave rules applicable to Statutory Civilians, or to officers of the Provincial Civil Services employed in listed posts, cause any inconvenience to the Administration, or press hardly on the officers themselves, and in what respects? In particular, do you consider that separate sets of rules for such officers and for officers of the Indian Civil Service are desirable?

117. Have you any other proposals to make in regard to the conditions of leave not covered by your answers to the above questions?

CONDITIONS OF PENSION.

118. Is the present system of equal annuities to all members of the Indian Civil Service generally accepted as satisfactory by the Government and by the members of the Indian Civil Service?

119. Would a non-contributory system of superannuation pensions, varying in amount with the amount of salary drawn at the time of retirement, be preferable in the interests either of the Government or of the members of the Indian Civil Service?

[A.—Indian and Provincial Civil Services.

CONDITIONS OF PENSION—*conclld.*

120. Assuming the maintenance of the annuity system, do you suggest any modifications in its detailed working, and, if so, what, and for what reasons?

121. In particular, what is your opinion of the arrangement by which members of the Indian Civil Service, who are appointed Judges of High Courts, obtain special pensions of £1,200 a year after 11½ years' actual service as Judges? Do you recommend any change in the present condition?

122. Do you consider that a similar system should be applied to the cases of high executive officers, and, if so, to which? Please state the amount of pension and the conditions which you recommend as suitable.

123. Assuming the substitution of a non-contributory system of superannuation pensions varying in amount with the amount of salary drawn at the time of retirement, please describe the system that you recommend.

124. Do you recommend the introduction of a system of reduced pensions for such officers as may be found to be inefficient, but whom it would be difficult to retire without some provision for their subsistence? If so, what do you suggest?

125. Do you consider the existing pension rules suitable in the interests both of the Government and of the members of the Indian Civil Service? In particular, what is your opinion of the present rules regulating voluntary and compulsory retirement?

126. Do you approve of the present system regulating the pensions of military officers holding Indian Civil Service posts? If not, what do you suggest?

127. Do you approve of the present system regulating the pensions of statutory civilians? If not, what do you suggest?

128. Do you approve of the present system regulating the pensions of officers of the Provincial Civil Services holding listed posts? If not, what do you suggest?

129. Do you accept as satisfactory the regulations of the Indian Family Pension Fund, or have you any suggestions to make either for their abolition or for their alteration? Have you any proposals to make in regard to the present methods of working such regulations?

130. In particular, do you approve of the exclusion from their benefits of "Natives of India," who are members of the Indian Civil Service? If not, under what conditions would you admit them, having regard to the main differences between their social conditions and those of the European members on which the present system is based?

131. Do you recommend that such admission should be optional or compulsory?

132. If you do not approve their admission to the Indian Civil Service Family Pension Fund, do you recommend the formation of a separate Family Pension Fund?

133. Is the existing system under which provision is made for the families of deceased military officers holding Indian Civil Service posts satisfactory? If not, what would you suggest?

134. Have you any criticisms to make on the facilities at present offered—(a) to Statutory Civilians, (b) to members of the Provincial Civil Services holding listed posts, for providing for their families against their decease?

135. Have you any other proposals to make in regard to the conditions of pension not covered by your answers to the above questions?

GENERAL.

136. Are you satisfied with the existing organization of the Indian Civil Service? If not, please state what alternative organization you consider desirable, and explain fully your views, making any suggestions that appear to you suitable.

137. Have you any other proposals to make in regard to the Indian Civil Service not covered by your answers to the above questions? If so, please explain them.

QUESTIONS RELATING TO THE PROVINCIAL CIVIL SERVICE.

[Note.—In replies to these questions, it should be clearly specified whether the reply refers to the whole Provincial Civil Service, or to the Executive Branch or to the Judicial Branch.]

METHODS OF RECRUITMENT.

1. Please refer to Government of India Resolution No. 1046—1058, dated the 19th August 1910, defining the general conditions which should govern recruitment to the Provincial Civil Service, and reproduced as Appendix A. Are these conditions suitable, or have you any recommendations to make for their alteration?

2. Please supply a copy of the Rules for the Recruitment of the Provincial Civil Service in force in your province. Are these rules suitable, or have you any recommendations to make for their alteration?

3. Please see the statement showing the constitution of the Provincial Civil Service, reproduced as Appendix B to these questions, and state whether the information is correct for your province. If not, what alterations are required?

4. Please state the different systems of recruitment that have been adopted for the Provincial Civil Service, the periods for which they were in force, and the number of officers recruited year by year in your province under each system since its formation.

5. Please state the number of natural-born subjects of His Majesty other than "Natives of India" recruited in your province in each year.

6. What is your experience of the officers selected by the different methods of recruitment which method has proved the most satisfactory, and what changes, if any, in the present system of recruitment do you recommend? For direct recruitment do you recommend (a) open competition,

A.—Provincial Civil Service.]

METHODS OF RECRUITMENT—*concl'd.*

(b) nomination, (c) combined nomination and examination, or (d) some other method? Please describe fully the system that you recommend.

7. To what extent are non-residents of the Province employed in your Provincial Civil Service? Do you consider that only residents of the Province should ordinarily be recruited?

8. Are all classes and communities duly represented in your Provincial Civil Service? Do you consider that this is desirable, and what arrangements do you recommend to secure this object?

SYSTEMS OF TRAINING AND PROBATION.

9. What is the system of training and probation adopted for officers of the Provincial Civil Service? Do you consider it satisfactory, and, if not, what alterations do you recommend?

10. Is the existing system of departmental examinations suitable, and, if not, what changes do you recommend?

CONDITIONS OF SERVICE.

11. Do you consider that any change should be made in the classes of offices and appointments at present included in your Provincial Civil Service?

12. What is the system on which the strength of the Executive Branch of your Provincial Civil Service is fixed? Do you consider it satisfactory, and, if not, what alterations do you recommend?

13. In particular, is the leave reserve adequate, and the system on which it is graded suitable?

14. Is there any reserve for officers under training, and is it adequate?

15. What is the annual rate of recruitment and how is it fixed? Has it worked well in practice and does it secure an even flow of promotion?

16. To what extent is any system of selection for appointments to the higher grades enforced? Is any change of practice required in this respect?

17. Are you satisfied that under the existing system of promotion the interests of individual officers and of the Administration are duly reconciled, and have you any suggestion to make regarding it, particularly on the subjects of selection for higher appointments and of the compulsory retirement of inefficient officers?

18. To what extent are the functions of the officers of the Executive and Judicial Branches of your Provincial Civil Service differentiated? Is any change desirable, and, if so, in what direction?

19. Are you satisfied with the existing arrangements by which certain posts, ordinarily filled by members of the Indian Civil Service, are listed as open to officers of the Provincial Civil Service of proved merit and ability, and is the system followed in making appointments to those posts suitable? If not, what alterations do you suggest?

20. Are you satisfied with the system by which most of the inferior listed posts are merged in the Provincial Civil Service? If not, what change would you suggest?

21. Are you satisfied with the present designation "the Provincial Civil Service"? If not, what would you suggest?

CONDITIONS OF SALARY.

22. Do you accept as suitable the principle recommended by the Public Service Commission of 1886-87, and since followed, that the conditions of the Provincial Civil Services as regards salary should be adjusted by a consideration of the terms necessary to secure locally the desired qualifications in the officers appointed? If not, what principle do you recommend?

23. Please give full information regarding the rates of pay and the number of posts in each of the main grades of the Provincial Civil Service authorized on the 1st April of each of the following years:—1890, 1900 and 1912. When was the last general reorganization effected, and what improvement of prospects was effected thereby?

24. Are the existing rates of pay and grading in the Provincial Civil Service of your province adequate to secure the desired qualifications in the officers appointed? If not, what alterations do you recommend?

25. Are you satisfied with the present system under which officiating promotions are not made in the Provincial Civil Service? If not, what alteration do you recommend?

26. What is your opinion regarding the substitution of a time-scale of salary for the existing graded system of promotion? If you are in favour of a time-scale, should it be restricted to the lower grades of the service, or not?

27. As an alternative, do you recommend a system by which each main class of appointment would have a separate time-scale?

28. What is your experience of the practical working of time-scales of pay in other Indian services?

29. If you recommend any kind of time-scale of pay, please describe the scheme that you propose and state what conditions should be laid down in regard to the grant of increments, promotion to superior grades, charge allowances and other matters of importance. How do you propose to apply such time-scales in provinces where the scale of pay of the Executive and Judicial Branches of the service is different?

30. Do you approve of the arrangement by which officers of the Provincial Civil Service holding listed posts draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various appointments?

CONDITIONS OF LEAVE.

31. Is there any reason to suppose that officers of the Provincial Civil Service take more or less leave of any particular kind than they did 5, 10, 15, or 20 years ago? If so, to what is this due?

[A.—Provincial Civil Service.

CONDITIONS OF LEAVE—*concl'd.*

32. Is all the leave on full pay due to them ordinarily taken by officers of the Provincial Civil Service, and, if not, what are the reasons? Is the amount which can be earned in your opinion suitable? If not, what alternative arrangement do you suggest?

33. Is all the furlough due to them ordinarily taken by officers of the Provincial Civil Service? Is it necessary to allow for as much furlough as is permissible by the present rules? If not, what change do you suggest?

34. Do you consider that the rates of furlough allowances are suitable? If not, what changes do you recommend?

35. Do you consider that the maximum and minimum limits of leave allowances at present fixed are suitable?

36. Have you any recommendations to make in regard to special leave, extraordinary leave without allowances, and other forms of leave? Do you consider that the present conditions governing these kinds of leave, and the leave allowances admissible, are suitable?

37. Generally speaking, do any of the present leave rules applicable to the Provincial Civil Service cause inconvenience to the Administration? and if so what, and what remedy do you suggest?

38. In particular, are they a contributory cause of excessive transfers of officers, and, if so, how can this difficulty be met?

39. Do any of the present leave rules press hardly in any way on officers of the Provincial Civil Service, and, if so, in what respect? What is, in your opinion, the appropriate remedy? In particular, do you regard the existing differences between the leave rules for the European and Indian Services as suitable?

CONDITIONS OF PENSION.

40. Is the present system of superannuation pensions satisfactory in the interests both of the Government and the members of the Provincial Civil Service?

41. Have you any suggestions to make in favour of any modifications in its detailed working, and if so, what, and for what reasons?

42. Do you approve of the grant of reduced pensions for such officers as may be found to be inefficient, but whom it may be difficult to retire without some provision for their subsistence? If so, what do you suggest?

43. Do you approve of the present system regulating pensions of officers of the Provincial Civil Service holding listed posts? If not, what do you suggest?

44. Do you consider that the existing rules governing the voluntary and compulsory retirement of members of the Provincial Civil Service are satisfactory? If not, what changes do you recommend?

45. To what extent do members of the Provincial Civil Service subscribe for the benefit of their families to the Government General Provident Fund or to other official or officially-recognized funds? Are any further facilities required, and what arrangements of this kind do you consider to be necessary?

GENERAL.

46. Are you satisfied with the existing organization of the Provincial Civil Service? If not, please state what alternative organization you consider desirable, and explain fully your views, making any suggestions that appear to you to be suitable.

47. Have you any other proposals to make in regard to the Provincial Civil Service not covered by your answers to the above questions? If so, please explain them.

A.—Indian Civil Service.]

APPENDIX I.

| Period of Age-limits, 17—21, i.e., down to 1877. | | Period of Age-limits, 17—19, i.e., 1878—1891. | |
|---|--------|---|------------|
| Subjects. | Marks. | Subjects. | Marks. |
| 1. English Composition ... | 500 | 1. English Composition ... | 300 |
| 2. History of England, including that of the Laws and Constitution ... | 500 | 2. History of England, including a period selected by the candidate. | 300 |
| 3. English Language and Literature ... | 500 | 3. English Literature, including books selected by the candidate. | 300 |
| 4. Language, Literature, and History of Greece. | 750 | 4. Greek ... | 600 |
| 5. Language, Literature and History of Rome. | 750 | 5. Latin ... | 800 |
| 6. Language, Literature, and History of France. | 375 | 6. French ... | 500 |
| 7. Language, Literature, and History of Germany. | 375 | 7. German ... | 500 |
| 8. Language, Literature, and History of Italy. | 375 | 8. Italian ... | 400 |
| 9. Mathematics (pure and mixed) ... | 1,250 | 9. Mathematics (pure and mixed) ... | 1,000 |
| 10. Natural Science—that is (1) Chemistry, including Heat; (2) Electricity and Magnetism; (3) Geology and Mineralogy; (4) Zoology, (5) Botany. The total (1,000) marks may be obtained by adequate proficiency in any two or more of the five branches of Science included under this head. | 1,000 | 10. Natural Science—that is, the Elements of any two of the following Sciences, viz., Chemistry, 500; Electricity and Magnetism, 300; Experimental Laws of Heat and Light, 300; Mechanical Philosophy, with outlines of Astronomy, 300. | 800 or 600 |
| 11. Moral Science—that is, Logic, Mental and Moral Philosophy. | 500 | 11. Logic ... | 300 |
| 12. Sanskrit Language and Literature ... | 500 | 12. Elements of Political Economy ... | 300 |
| 13. Arabic Language and Literature ... | 500 | 13. Sanskrit ... | 500 |
| | | 14. Arabic ... | 500 |
| Period of Age-limits, 21—23, i.e., 1892—1905. | | Period of Age-limits, 22—24, i.e., 1906 to date. | |
| 1. English Composition ... | 500 | 1. English Composition ... | 500 |
| 2. English History ... | 500 | 2. English History, either or both sections may be taken— Section I., to A.D. 1485 ... | 400 |
| | | Section II., A.D. 1485 to 1848 ... | 400 |
| 3. English Law, viz., Law of Contract—Criminal Law—Law of Evidence and Law of the Constitution. | 500 | 3. English Law ... | 500 |
| 4. English Language and Literature (including special period named by the Commissioners.) | 500 | 4. English Language and Literature ... | 600 |
| 5. Greek Language and Literature ... | 750 | 5. Translation ... | 400 |
| 6. Greek History (Ancient, including Constitution). | 400 | 6. Prose Composition ... | 200 |
| 7. Latin Language and Literature ... | 750 | 7. Verse Composition ... | 200 |
| 8. Roman History (Ancient, including Constitution). | 400 | 8. Literature, etc. ... | 300 |
| 9. Roman Law ... | 500 | 9. Greek History (Ancient, including Constitution). Latin not less than two sub-divisions, of which one must be Translation:— | 500 |
| 10. French Language and Literature ... | 500 | 10. Translation ... | 400 |
| 11. German Language and Literature ... | 500 | 11. Prose Composition ... | 200 |
| | | 12. Verse Composition ... | 200 |
| 12. General Modern History (period to be selected by Candidates from list in the syllabus issued by the Commissioners, one period at least to include Indian History). | 500 | 13. Literature, etc. ... | 300 |
| 13. Mathematics (pure and applied) ... | 800 | 14. Roman History (Ancient, including Constitution). | 500 |
| 14. Advanced Mathematical subjects (pure and applied). | 900 | 15. Roman Law ... | 500 |
| | | 16. French, History of the Language and Literature. | 200 |
| | | 17. French, Translation, Composition and Conversation. | 400 |
| | | 18. German, History of the Language and Literature. | 200 |
| | | 19. German, Translation, Composition and Conversation. | 400 |
| | | 20. Italian, History of the Language and Literature. | 200 |
| | | 21. Italian, Translation, Composition and Conversation. | 400 |
| | | 22. General Modern History ... | 500 |
| | | 23. Lower Mathematics ... | 1,200 |
| | | 24. Higher Mathematics ... | 1,200 |

[A.—Indian Civil Service.]

APPENDIX I.—*concl'd.*

| Period of Age-limits, 21—23, i.e., 1892—1905. | | Period of Age-limits, 22--24, i.e., 1906 to date. | |
|---|--------|--|----------------------|
| Subjects. | Marks. | Subjects. | Marks. |
| 16. Natural Science, i.e., any number not exceeding three of the following subjects :— Elementary Chemistry and Elementary Physics ... 600 (N.B.—This subject may not be taken up by those who offer either Higher Chemistry or Higher Physics) :— Higher Chemistry ... 600 Higher Physics ... 600 Geology ... 600 Botany ... 600 Zoology ... 600 Animal Physiology ... 600 | 1,800 | 25. Natural Science, i.e., any number not exceeding four of the following or three if both Lower and Higher Mathematics be also taken :— (1) Chemistry ... 600 (2) Physics ... 600 (3) Geology ... 600 (4) Botany ... 600 (5) Zoology ... 600 (6) Animal Physiology ... 600 (7) Geography ... 600 | 2,400 or 1,800 |
| 16. Logic and Mental Philosophy (Ancient and Modern). | 400 | 26. Logic and Philosophy. | 600 |
| 17. Moral Philosophy (Ancient and Modern) | 400 | 27. Moral and Metaphysical Philosophy | 600 |
| 18. Political Economy and Economic History | 500 | 28. Political Economy and Economic History | 600 |
| 19. Political Science (including Analytical Jurisprudence, the early History of Institutions and Theory of Legislation). | 500 | 29. Political Science ... | 500 |
| 20. Sanskrit Language and Literature | 500 | 31. Sanskrit Language and Literature | 800 |
| 21. Arabic Language and Literature | 500 | 32. Arabic Language and Literature | 800 |
| Candidates are at liberty to name any or all of these branches of knowledge. No subjects are obligatory. | | Consistently with the limitations specified above Candidates are at liberty to name any of the foregoing subjects, provided that the maximum number of marks that can be obtained from the subjects chosen is limited to 6,000. | |

APPENDIX II.

THE INDIAN CIVIL SERVICE ACT, 1861.

(24 & 25 Vict., Cap. 54.)

An Act to confirm certain Appointments in India, and to amend the Law concerning the Civil Service there.

[1st August 1861.]

WHEREAS by section fifty-six of an Act of the thirty-third year of King George the Third, 33 G. 3. c. 52, Chapter fifty-two, it was enacted that all the civil servants of the East India Company in India under the rank or degree of Members of Council should have and be entitled to precedence in the service of the said Company at their respective stations according to their seniority of appointment, and that no such civil servant should be capable of being advanced or promoted to any higher station, rank or degree therein than he should be entitled to according to the length of his service; and by section fifty-seven of the same Act it was enacted that all vacancies happening in any of the offices, places, or employments in the civil line of the Company's service in India (being under the degree of Counsellor) should be from time to time filled up and supplied from amongst the civil servants of the said Company belonging to the presidency wherein such vacancies should respectively happen: And whereas by reason of the exigencies of the public service vacancies in certain offices, places and employments in India have been filled up by the appointment of persons not being civil servants, or not being civil servants belonging to the presidency wherein the vacancies have happened, and otherwise not in accordance with the provisions of the said enactments, and it is expedient that such appointments should be rendered valid, and also that the authorities in India should be empowered to make such appointments in like cases in future:

Be it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :—

1. All appointments made by the authorities in India to any such Offices, Places or Employments shall be and be deemed to have been as valid and effectual as if the Act hereinbefore recited or referred to had not been passed—(Rep. 55 & 56 Vict., c. 19).

2. All vacancies happening in any of the offices, places, or employments specified in the Schedule annexed to this Act, and all such offices which may be created hereafter, shall be filled up and supplied, except as hereinafter provided, from amongst the covenanted civil servants of the Crown in India.

3. Where it appears to the authority in India by whom an appointment should be made to any office, place, or employment specified in the said Schedule, that such appointment, under the special circumstances of the case, should be made without regard to the recited qualifications, conditions, and restrictions of the said Act, it shall be lawful for such authority to make such appointment accordingly; provided that no person shall be so appointed who has not resided for at least seven years in India, and that every person previously to his being so appointed to any of the offices in the Revenue and Judicial Departments specified in the said Schedule shall pass an

Appointments not in accordance with 33 G. 3. c. 52, valid. Vacancies in offices to be supplied by covenanted civil servants.

Persons not covenanted civil servants may, under special circumstances, be appointed to such offices subject to certain restrictions.

A.—Indian Civil Service.]

examination in the vernacular language of the district in which he is to be employed, where such examination is now required, and shall be subject to all the departmental tests and other qualifications and restrictions which are or may be imposed in the like case on covenanted civil servants.

4. Every such appointment shall be provisional only, and shall forthwith be reported to the Secretary of State in Council of India, together with the special reasons for making the same; and unless the Secretary of State in Council shall approve such appointment, with the concurrence of a majority of Members present at a meeting, and shall within twelve months from the date of such appointment notify such approval to the authority by whom the appointment was made, then such appointment shall be cancelled.

5. All vacancies happening in any other offices, places, or employments than those mentioned in the said Schedule, and all other offices than those so mentioned that may hereafter be created in India may be filled up and supplied without regard to the qualifications, conditions, and restrictions prescribed by the said Act.

6. Provided always that this Act shall not apply to the office of Lieutenant-Governor of any part of Her Majesty's dominions in India, or to any offices for the supply of which provision may be made by any other Act of the present session of Parliament.

7. Section fifty-six of the said Act of the thirty-third year of King George the Third, and so much of the other sections of the said Act and of any other Act now in force as requires seniority as a condition or qualification for the appointment of civil servants to offices, places, or employments, shall be repealed.

SCHEDULE.

Secretaries, Junior Secretaries, and Under-Secretaries to the several Governments of India, except the Secretaries, Junior Secretaries, and Under-Secretaries in the Military, Marine and Public Works Departments.

Accountant-General.
Civil Auditor. (a)

Sub-Treasurer. (b)

Judicial.

1. Civil and Sessions Judges, or Chief Judicial Officers of Districts in the Provinces now known as Regulation provinces.

2. Additional and Assistant Judges in the said Provinces.

3. Magistrates or Chief Magisterial Officers of Districts in the said Provinces.

4. Joint-Magistrates in the said Provinces.

5. Assistant Magistrates or Assistant to Magistrates in the said Provinces.

Revenue.

1. Members of the Board of Revenue in the Presidencies of Bengal and Madras.

2. Secretaries to the said Boards of Revenue.

3. Commissioners of Revenue or Chief Revenue Officers of Divisions in the Provinces now known as Regulation Provinces.

4. Collectors of Revenue or Chief Revenue Officers of Districts in the said Provinces.

5. Deputy or Subordinate Collectors where combined with the Office of Joint-Magistrate in the said Provinces.

6. Assistant Collectors or Assistants to Collectors in the said Provinces.

7. Salt Agents.

8. Controller of Salt Chowkies.

9. Commissioners of Customs, Salt and Opium.

10. Opium Agents.

(a) Now called Comptroller-General.

(b) Now non-existent.

APPENDIX III.

THE GOVERNMENT OF INDIA ACT, 1870.

(33 Vict., Cap. 3.)

An Act to make better provision for making Laws and Regulations for certain parts of India, and for certain other purposes relating thereto.

[25th March 1870.]

6. Whereas it is expedient that additional facilities should be given for the employment of Natives of India, of proved merit and ability, in the civil service of Her Majesty in India:

Be it enacted, that nothing in the Government of India Act, 1858, or in the Indian Civil Service Act, 1861, or in any other Act of Parliament or other law now in force in India, shall restrain the authorities in India by whom appointments are or may be made to offices, places, and employments in the civil service of Her Majesty in India from appointing any Native of India to any such office, place or employment, although such Native shall not have been admitted to the said civil service of India in manner in section thirty-two of the first-mentioned Act provided, but subject to such rules as may be from time to time prescribed by the Governor-General in Council, and sanctioned by the Secretary of State in Council, with the concurrence of a majority of members present;

and that for the purpose of this Act the words "Natives of India" shall include any person born and domiciled within the dominions of Her Majesty in India, of parents habitually resident in India, and not established there for temporary purposes only;

and that it shall be lawful for the Governor-General in Council to define and limit from time to time the qualification of Natives of India thus expressed; provided that every resolution made by him for such purposes shall be subject to the sanction of the Secretary of State in Council, and shall not have force until it has been laid for thirty days before both Houses of Parliament.

Power to appoint natives of India to certain office without certificate from the Civil Service Commissioners. 21 & 22 Vict. c. 106, 24 & 25 Vict., c. 51.

[A—Indian Civil Service.]

APPENDIX IV.

Notification of the Government of India, Home Department (Establishments), No. 1128, dated Simla, the 26th August 1910.

In exercise of the power conferred by section 6 of the Government of India Act, 1870 (33 Victoria, Chapter 3), and in supersession of the rules published in the Home Department Notification No. 2159 (Public), dated the 2nd November 1892, the Governor-General in Council has been pleased to make the following rules, which have been sanctioned by the Secretary of State in Council with the concurrence of a majority of the members present.

1. The local Government may appoint any member of the provincial civil service subordinate to it, who is a Native of India, and of proved merit and ability, to any of the offices, places, and employments ordinarily held by members of the Civil Service of His Majesty in India, to fill which it has been declared by such local Government (by notification in the official Gazette) that members of such Provincial civil service can properly be appointed.

2. The local Government may at any time appoint any Native of India of proved merit and ability to any of the offices, places, and employments specified by such local Government in any such notification as in Rule 1 is mentioned; provided that not more than one-fourth of the offices, places, and employments so specified shall at any one time be held by Natives of India not members of the Provincial civil service subordinate to the local Government; but this proviso shall not apply to or include any Native of India (not a member of a Provincial service) who has, prior to the making of these rules, been appointed under section 6 of the Government of India Act, 1870 (33 Victoria, Chapter 3), to an office, place, or employment in the Civil Service of India.

3. In addition to appointments made under Rules 1 and 2 the local Government may, whenever the exigencies of the public service render it necessary, appoint to any of the offices, places, or employments ordinarily held by members of the Civil Service of His Majesty in India, for a period not exceeding three months, any Native of India of proved merit and ability; provided that the appointment of any such officer shall not involve his transfer from another district.

4. The local Government may declare any appointment to be made on probation only, and may prescribe the terms on which it is made and the conditions with which the person appointed must comply before he can be confirmed.

5. The local Government may at any time suspend and remove any person appointed by such local Government under these rules.

A. EARLE,

Offg. Secy. to the Govt. of India.

APPENDIX V.

Statement showing Posts listed as open to the Provincial Civil Services.

| | Madras. | Bombay. | Bengal. | United Provinces. | Punjab. | Burma. | Bihar and Orissa. | Central Provinces (and Berar). | Total. |
|---|---------|---------|---------|-------------------|---------|--------|-------------------|--------------------------------|--------|
| <i>Superior Posts.</i> | | | | | | | | | |
| Heads of districts ... | 2 | 2 | 8 | 2 | 2 | 2 | 5 | 4 | 49 |
| District and Divisional Judges. | 4 | 3 | 8 | 5 | 6 | 2 | 5 | 2 | |
| Settlement Collectors ... | ... | .. | .. | ... | 2 | 1 | ... | ... | 3 |
| Sub-Collectors ... | 2 | ... | ... | ... | ... | .. | ... | ... | 2 |
| Secretary, Board of Revenue. | ... | ... | ... | ... | 1 | ... | ... | ... | 1 |
| Talukdari Settlement Officer | ... | 1 | ... | ... | .. | ... | ... | ... | 1 |
| Total ... | 8 | 6 | 8 | 7 | 11 | 5 | 5 | 6 | 66 |
| <i>Inferior Posts.</i> | | | | | | | | | |
| Secretary to Board of Revenue. | 1 | ... | ... | 1 | .. | ... | ... | ... | 2 |
| Under-Secretary to Government. | 1 | ... | 1 | ... | 1 | ... | 1 | ... | 4 |
| Joint Magistrates or Assistant Commissioners or Assistant Collectors. | 5 | 8 | 8 | 7 | 3 | ... | ... | 2 | 33 |
| Assistant Judges ... | ... | 3 | ... | ... | ... | ... | ... | ... | 3 |
| Small Cause Court Judges | ... | .. | ... | 2 | ... | ... | ... | ... | 2 |
| Assistant Settlement Officers | ... | ... | ... | 2 | ... | ... | ... | ... | 2 |
| Assistant to Director of Land Records. | ... | ... | ... | 1 | ... | ... | .. | ... | 1 |
| Total .. | 7 | 11 | 9 | 13 | 4 | ... | 1 | 2 | 47 |
| GRAND TOTAL SUPERIOR AND INFERIOR. | 15 | 17 | 17 | 20 | 15 | 5 | 6 | 8 | 103 |

A.—Indian Civil Service.]

APPENDIX VI.

| FINAL EXAMINATION OF 1891 WHEN THE PERIOD OF PROBATION WAS TWO YEARS. | | | FINAL EXAMINATION OF 1912 WHEN THE PERIOD OF PROBATION WAS ONE YEAR. | | |
|---|-------|--------|--|-----|--------|
| Subjects (a). | | Marks. | Subjects. | | Marks. |
| 1. *Classical languages of India— | | | <i>Compulsory—</i> | | |
| Sanskrit | 500 | | 1. The principal Vernacular language of the Province to which the candidate is assigned. | | 400 |
| Arabic | 400 | | 2. Indian History | 400 | |
| Persian | 400 | | 3. Indian Penal Code | 400 | |
| 2. †Vernacular languages of India (excepting Hindustani when taken up by Madras candidates and Gujrati) each. | 400 | | 4. Code of Criminal Procedure ... | 200 | |
| 3. The History and Geography of India | 350 | | 5. The Indian Evidence Act ... | 200 | |
| 4. ‡Law | 1,250 | | <i>Optional.—(Not more than one of the following subjects.)</i> | | |
| 5. Political Economy | 350 | | 1. §Sanskrit | 400 | |
| | | | 2. §Arabic | 400 | |
| | | | 3. Persian | 400 | |
| | | | 4. Hindustani (for candidates assigned to the Province of Burma only). | 400 | |
| | | | 5. Hindu and Muhammadan Law... | 450 | |

(a) In addition to the above, candidates were permitted to take up any one of the following branches of Natural Science, viz., Agricultural chemistry, botany, geology and zoology, for which 350 marks were allowed.

* One or more of these subjects could be taken.

† One of the languages prescribed for the candidates' Presidency or Province.

‡ The course of reading in law included—

- (1) General Jurisprudence—
Blackstone's Commentaries.
Austin's Jurisprudence.
The Institutes of Justinian.
Maine's Ancient Law.
Mackenzie's Studies in Roman Law.
Bentham's Theory of Legislation.

- (2) Law of Evidence—
The Indian Evidence Act.
Pitt Taylor's Treatise on the Law of Evidence.

- (3) Law of India—
The Code of Civil Procedure.
The Indian Penal Code.
The Code of Criminal Procedure.
The Indian Law of Contracts.
The Intestate and Testamentary Succession Act.
Hindu Law.
Muhammadan Law.

20th Report of His Majesty's Civil Service Commissioners, page 523-5.

Simultaneously, the candidates attended courts and supplied the following detailed reports, with an analysis and notes in each case:—

- First Periodical Examination ... Seven reports of police court cases of a stipendary Magistrate, embracing cases in which the magistrate exercised final jurisdiction and cases which he committed for trial.
Four civil cases of a county court in which the parties were represented by counsel.
One separate report of the whole business, of whatever kind, transacted in a police court during one day.
- Second Periodical Examination ... Five reports of Civil actions in the superior courts of London in which the defendant was represented by counsel.
Five reports of cases decided in the Central Criminal Court in which the prisoner was represented by counsel.
- Third Periodical Examination ... Three reports of civil cases of importance tried before special juries in the Superior Courts of London.
Three reports of criminal cases of importance tried before juries in the Central Criminal Court and selected for some special quality such as the gravity of the offence, the nature of the evidence produced, the number of the prisoners, etc.
- Final Examination ... One report of the investigation before a London police magistrate of a grave criminal charge ending in committal.
One report of the whole business, of whatever kind, transacted in a London police court in one day.
Two reports of important civil cases tried by a special jury in London.
One report of a case heard in the Judicial Committee of the Privy Council on appeal from India.

§ These subjects cannot be offered by any candidate who has offered them at the open competition.

[A.—Indian Civil Service.]

APPENDIX VII.

AA.

STATEMENT showing the CADRE and STRENGTH of the INDIAN CIVIL SERVICE for INDIA as a whole and by PRESIDENCIES or PROVINCES, as sanctioned on 1st July 1912, together with the number of posts listed as open to the Provincial Service in accordance with the terms of the rules made under the provisions of Section 6 of the Government of India Act, 1870 (33 Vict., Cap. 3).

| | Madras. | Bombay. | Bengal. | United Provinces. | Punjab. | Burma. | Bihar and Orissa. | Central Provinces. | Assam. | Total. |
|--|---------|---------|---------|----------------------|---------|-----------------------------|-------------------------|-----------------------|--------|----------------------------|
| (1) No. of "Superior" posts, <i>i.e.</i> , posts carrying a salary of over Rs. 1,000 a month in the Presidency or Province. | 87 | 84 | 90 | 111 | 80 | 83 | 64 | 51 | 22 | 662 |
| (2) Deduct for posts listed as open to Provincial Service. | 8 | 6 | 8 | 7 | 11 | 6 | 5 | 6 | ... | 66 |
| (3) Add for posts under the Government of India (a). | 8 | 8 | 8 | 10 | 7 | 6 | 5 | .. | 2 | 68 |
| (4) Balance number of "Superior" posts. | 87 | 86 | 90 | 114 | 76 | 84 | 64 | 49 | 24 | 664 |
| (5) Add 4 per cent. for temporary posts and for deputation. [N.B.—For such posts additions are made in the lowest grade of assistants.] | 3 | 3 | 4 | 5 | 3 | 3 | 2 | 2 | 1 | 26 |
| (6) Total number of "Superior" posts on which recruitment is based. | 90 | 89 | 94 | 119 | 79 | 87 | 66 | 51 | 25 | 690 |
| (7) Add "Inferior" posts, <i>i.e.</i> , posts above the lowest grade of assistants, but below the "Superior" posts, at 39 per cent. of line (6). | 35 | 35 | 37 | 46 | 31 | 34 | 22 | 20 | 9 | 269 |
| (8) Add leave reserve at 40 per cent. of line (6). | 36 | 36½ | 37½ | 47½ | 32 | 35 | 22½ | 20 | 10 | 276 |
| (9) Add training reserve at 15·5 of line (6). | 14 | 13½ | 14½ | 18½ | 12 | 13 | 8½ | 8 | 4 | 106 |
| (10) Strength of service required at 194·5 per cent. of line (6). | 175 | 173 | 183 | 231 | 154 | 169 | 109 | 99 | 48 | 1,341 |
| (11) Rate of recruitment at 4·17 per cent. of strength shown in line (10). | 7·3 | 7·2 | 7·6 | 9·6 | 6·4 | 5·8 Civil. 1·7 Military. | 4·5 | 4·1 | 2·0 | 64 Civil. 1·7 Military. |

(a) The figures under this line are fixed arbitrarily from time to time for purposes of recruitment, and are not intended to limit or guarantee the number of posts under the Government of India, which may at any time be filled from a particular Province.

A.—Indian Civil Service.]

APPENDIX VII.—*contd.*

LIST A.

MADRAS.

Superior Posts in Order of Pay.

| Number. | Designation. | Pay of each. |
|--------------|--|-----------------|
| | | Rs. |
| 2 | Members of Council | 5,333½ |
| 2 | High Court Judges | 4,000 |
| 1 | Member, Board of Revenue | 3,750 |
| 1 | Chief Secretary | 3,750 |
| 1 | Member, Board of Revenue | 3,500 |
| 1 | Secretary, Revenue Department | 3,125 |
| 2 | Members, Board of Revenue | 3,000 |
| 2 | District and Sessions Judges, first grade | 3,000 |
| 1 | Inspector-General of Police | 2,500—100—3,000 |
| 1 | Resident, Travancore | 2,800 |
| 7 | District and Sessions Judges, second grade | 2,500 |
| 1 | Secretary, Municipal (Local) Department | 2,500 |
| (a) 7 | Collectors, first grade | 2,500 |
| 7 | District and Sessions Judges, third grade | 2,250 |
| (a) 14 | Collectors, second grade | 2,250 |
| 6 | District and Sessions Judges, fourth grade | 2,000 |
| 1 | Commissioner of Coorg | 1,800—2,000 |
| (a) 6 | Collectors, third grade | 1,800 |
| 1 | Secretary to Commissioner of Land Revenue | 1,500—1,800 |
| 1 | Secretary to Commissioner, Salt and Abkari Revenue | 1,500—1,800 |
| 1 | Registrar, High Court | 1,500—1,800 |
| 1 | Private Secretary | 1,500 |
| (b) 20 | Sub-Collectors and Joint Magistrates, first grade | 1,200 |
| Total ... 87 | | |
| Deduct —8 | For posts listed as open to the Provincial Service. | |
| Add +8 | Do. under the Government of India. | |
| Balance 87 | | |
| | <i>Inferior posts, i.e., posts above the lowest grade of assistants, but below the "superior" posts in order of pay.</i> | |
| 3 | Under-Secretaries | 1,000 |
| 16 | Joint Magistrates, second grade | 900 |
| 16 | Ditto, third grade | 700 |
| Total ... 35 | | |
| | <i>Reserve posts, i.e., Assistant Collectors.</i> | 400—500 |
| 3 | Reserve for temporary posts and for deputations. | |
| 36 | Leave reserve. | |
| 14 | Training reserve. | |
| Total ... 53 | | |

(a) Includes Collector of Madras, Director of Agriculture, and Registrar of Co-operative Credit Societies.
 (b) Includes Deputy Commissioner of Salt and Abkari, and Director of Land Records.

[A.—Indian Civil Service.

APPENDIX VII.—*contd.*

LIST B.

BOMBAY (INCLUDING SIND).

Superior Posts in Order of Pay.

| Number. | Designation. | Pay of each. |
|--------------|--|---|
| | | Rs. |
| 2 | Members of Council | 5,333½ |
| 3 | High Court Judges | 4,000 |
| 1 | Chief Secretary | 3,750 |
| 1 | Commissioner in Sind | 3,750 |
| 3 | Commissioners | 3,500 |
| 1 | Secretary | 3,125 |
| 1 | Commissioner of Customs, Salt, Opium, etc. | 3,000 |
| 1 | Municipal Commissioner, Bombay | 3,000 |
| 1 | Judicial Commissioner, Sind | 3,000 |
| 1 | Inspector-General of Police | 2,500—100—3,000 |
| 1 | Additional Judicial Commissioner | 2,750 |
| (a) 3 | District and Sessions Judges, first grade | 2,500 |
| 1 | Secretary | 2,500 |
| 6 | District and Sessions Judges, second grade | 2,325 |
| 13 | Senior Collectors | 2,325 |
| 1 | Commissioner of Settlement and Director, Land Records | Salary of grade <i>plus</i> a local allowance of Rs. 250. |
| 9 | District and Sessions Judges, third grade | 1,800 |
| (b) 15 | Junior Collectors | 1,800 |
| 1 | Registrar, High Court | 1,700 |
| 1 | Private Secretary | 1,500 |
| 1 | Deputy Commissioner, Upper Sind Frontier | 1,200 |
| 3 | Political appointments | { Local allowance of Rs. 300. |
| 1 | Assistant Remembrancer of Legal Affairs | 1,250—50—1,500 |
| 2 | Under-Secretaries | 1,250 |
| 1 | Talukdari Settlement Officer | 1,100 |
| 1 | Assistant to Commissioner in Sind | 1,100 |
| 1 | Manager, Sind Encumbered Estates | { Local allowance of Rs. 100. |
| 2 | Superintendents of Land Records | Salary of grade <i>plus</i> special allowance of Rs. 200. |
| 1 | Registrar, Co-operative Credit Societies | { Salary of grade <i>plus</i> special allowance of Rs. 150. |
| 5 | Assistant Collectors, first grade | 900 (c) |
| Total ... 84 | | |
| Deduct — 6 | For posts listed as open to the Provincial Service. | |
| Add + 8 | Do. under the Government of India. | |
| Balance 86 | | |
| | <i>Inferior posts, i.e., posts above the lowest grade of assistants, but below the "superior" posts in order of pay.</i> | |
| 17 | Assistant Collectors, first grade | 900 |
| 18 | Ditto, second grade | 700 |
| Total ... 35 | | |
| | <i>Reserve posts, i.e., Assistant Collectors.</i> | 400—500 |
| 3 | Reserve for temporary posts and for deputations. | |
| 35½ | Leave reserve. | |
| 13½ | Training reserve. | |
| Total ... 52 | | |

(a) Includes Remembrancer of Legal Affairs.

(b) Includes Collector of Salt Revenue, Collector of Bombay and Director of Agriculture and Co-operative Credit Societies, but excludes Collector of Customs, Bombay.

(c) It has recently been proposed to raise the pay of these five appointments to Rs. 1,200.

[A—Indian Civil Service.]

APPENDIX VII.—*contd.*

LIST C.

BENGAL.

Superior Posts in Order of Pay.

| Number. | Designation. | Pay of each. |
|------------------|---|---------------------|
| | | Rs. |
| 2 | Members of Council | 5,333 $\frac{1}{3}$ |
| 4 | High Court Judges | 4,000 |
| 1 | Member, Board of Revenue | 3,750 |
| 1 | Chairman, Calcutta Corporation | 3,500 |
| 1 | Chief Secretary | 3,333 $\frac{1}{3}$ |
| (a) 3 | District and Sessions Judges, first grade | 3,000 |
| 1 | Chairman of the Calcutta Improvement Trust | 3,000 |
| 5 | Commissioners | 2,916 $\frac{2}{3}$ |
| 1 | Inspector-General of Police | 2,500—100—3,000 |
| 2 | Secretaries | 2,750 |
| (a) 13 | District and Sessions Judges, second grade | 2,500 |
| (b) 12 | Magistrates and Collectors, first grade | 2,250 |
| (a) 14 | District and Sessions Judges, third grade | 2,000 |
| (b) 13 | Magistrates and Collectors, second grade | 1,800 |
| 1 | Registrar, High Court | 1,700 |
| (b) 14 | Magistrates and Collectors, third grade | 1,500 |
| 1 | Private Secretary to His Excellency the Governor | 1,500 |
| 1 | Deputy Chairman, Calcutta Corporation | 1,500 |
| Total ... 90 | | |
| Deduct — 8 | For posts listed as open to the Provincial Service. | |
| Add : + 8 | Do. under the Government of India. | |
| Balance 90 | | |
| | <i>Inferior posts (i.e., posts above the lowest grade of assistants, but below the "superior" posts in order of pay, excluding one listed Under-Secretaryship).</i> | |
| 2 | Under-Secretaries | 1,000 |
| 17 | Joint Magistrates | 900 |
| 17 | Ditto | 700 |
| Total ... 36 | | |
| | <i>Reserve posts, i.e., Assistant Magistrates.</i> | 400—500 |
| 4 | Reserve for temporary appointments and deputations. | |
| 37 $\frac{1}{2}$ | Leave reserve. | |
| 14 $\frac{1}{2}$ | Training reserves. | |
| Total ... 56 | | |

(a) Includes Superintendent and Remembrancer of Legal Affairs and three District and Sessions Judges for Assam

(b) Includes Commissioner of Excise, Director of Land Records, Director of Agriculture, two Secretaries to the Board of Revenue, Registrar of Co-operative Credit Societies, three Settlement Officers and four Additional Magistrates for Dacca, Midnapore, Bakarganj and Mymensingh.

[A.—Indian Civil Service.]

APPENDIX VII.—*contd.*

LIST D.

UNITED PROVINCES.

Superior Posts in Order of Pay.

| Number. | Designation. | Pay of each. |
|--|---|---|
| | | Rs. |
| 1 | Lieutenant-Governor | 8,333 $\frac{1}{3}$ |
| 3 | High Court Judges | 4,000 |
| 1 | Judicial Commissioner | 3,500 |
| 2 | Members, Board of Revenue | 3,500 |
| 1 | Additional Judicial Commissioner | 3,333 $\frac{1}{3}$ |
| 1 | Chief Secretary | 3,000 |
| 2 | District and Sessions Judges, first grade | 3,000 |
| 9 | Commissioners | 2,916 $\frac{2}{3}$ |
| 1 | Inspector-General of Police | 2,500—100—3,000 |
| 1 | Opium Agent | 2,500—100—3,000 |
| 1 | Commissioner, Kumaun | 2,500 |
| (a) 7 | District and Sessions Judges, second grade | 2,500 |
| (b) 19 | Magistrates and Collectors, first grade | 2,250 |
| (a) 6 | District and Sessions Judges, third grade | 2,250 |
| 10 | District and Sessions Judges, fourth grade | 1,833 $\frac{1}{3}$ |
| (b) 17 | Magistrates and Collectors, second grade | 1,833 $\frac{1}{3}$ |
| 4 | Deputy Commissioners, first grade | 1,833 $\frac{1}{3}$ |
| 3 | District and Sessions Judges, fifth grade | 1,666 $\frac{2}{3}$ |
| (b) 10 | Deputy Commissioners, second grade | 1,666 $\frac{2}{3}$ |
| 1 | Registrar, High Court | 1,600 |
| 4 | Settlement Officers | Salary of grade plus special allowance of Rs. 150. |
| 1 | Deputy Director of Land Records | |
| 1 | Registrar, Co-operative Credit Societies | |
| 1 | Superintendent, Dehra Dun | 1,500 |
| 1 | Deputy Commissioner, Naini Tal | 1,500 |
| 1 | Assistant Judge | 1,100 |
| 2 | Deputy Commissioners of Garhwal and Almora | 1,000 |
| Total ... 111 | | |
| Deduct — 7 | | |
| Add + 10 | | |
| Balance 114 | | |
| For posts listed as open to the Provincial Service Do. under the Government of India. | | |
| <i>Inferior posts, i.e., posts above the lowest grade of assistants, but below the "superior" posts in order of pay.</i> | | |
| 2 | Under-Secretaries | 1,000 |
| 1 | Under-Secretary | 800 |
| 1 | City Magistrate, Lucknow | 1,000 |
| 14 | Joint Magistrates, first grade | 1,000 |
| 6 | Assistant Commissioners, first grade | 800 |
| 1 | Assistant Judge | 800 |
| 20 | Joint Magistrates, second grade | 700 |
| 1 | Registrar, Judicial Commissioner's Court | Salary of grade. |
| Total ... 46 | | |
| <i>Reserve posts, i.e., Assistant Collectors.</i> | | 400—500 |
| 5 | Reserve for temporary posts and for deputations. | |
| 47 $\frac{1}{2}$ | Leave reserve. | |
| 18 $\frac{1}{2}$ | Training reserve. | |
| Total... 71 | | |

(a) Includes the Legal Remembrancer.

(b) Includes two Secretaries in the Board of Revenue, Judicial and Financial Secretaries to Government, Director of Land Records and Agriculture and Commissioner of Excise.

A.—Indian Civil Service.]

APPENDIX VII.—*contd.*

LIST E.

PUNJAB (EXCLUDING THE NORTH-WEST FRONTIER PROVINCE).

Superior Posts in Order of Pay.

| Number. | Designation. | Pay of each. |
|--------------|---|--|
| | | Rs. |
| 1 | Lieutenant-Governor | 8,333½ |
| 1 | Chief Judge, Chief Court | 4,000 |
| 2 | Judges, Chief Court | 3,500 |
| 2 | Financial Commissioners | 3,500 |
| 1 | Chief Secretary | 3,000 |
| 5 | Commissioners | 2,750 |
| 2 | Divisional Judges, 1st grade | 2,750 |
| 3 | Divisional Judges, 2nd grade | 2,500 |
| 5 | Divisional Judges, 3rd grade | 2,250 |
| (a) 10 | Deputy Commissioners, 1st grade | 2,250 |
| 6 | Divisional Judges, 4th grade | 1,800 |
| (a) 11 | Deputy Commissioners, 2nd grade | 1,800 |
| 8 | District Judges | 1,500 |
| (a) 13 | Deputy Commissioners, 3rd grade | 1,500 |
| 6 | Settlement Officers | } Salary of grade plus special allowance of Rs. 150. |
| 1 | Registrar, Co-operative Credit Societies | |
| 1 | Senior Secretary to Financial Commissioners | Salary of grade, subject to a minimum of Rs. 1,200 and a maximum of Rs. 1,800. |
| 1 | Junior Secretary to Financial Commissioners | Salary of grade, subject to a maximum of Rs. 1,500 and a minimum of Rs. 1,000. |
| 1 | Registrar, Chief Court | 1,250 |
| Total .. 80 | | |
| Deduct — 11 | For posts listed as open to the Provincial Service. | |
| Add + 7 | Do. under the Government of India. | |
| Balance 76 | | |
| | <i>Inferior posts, i.e., posts above the lowest grade of assistants, but below the "superior" posts in order of pay (excluding one Under-Secretaryship listed).</i> | |
| 2 | Under Secretaries | 1,000 |
| 14 | Assistant Commissioners, 1st grade | 900 |
| 15 | Ditto, 2nd grade | 700 |
| Total ... 31 | | |
| | <i>Reserve posts, i.e., Assistant Commissioners of the lowest grade.</i> | 400—500 |
| 3 | Reserve for temporary posts and for deputations. | |
| 32 | Leave reserve. | |
| 12 | Training reserve. | |
| Total ... 47 | | |

(a) Includes two Secretaries of Government, Director of Land Records, Director of Agriculture and Political Agent in the Peshkian States.

[A.—Indian Civil Service.]

APPENDIX VII.—*contd.*

LIST F.

BURMA.

Superior Posts in Order of Pay.

| Number. | Designation. | Pay of each. |
|----------------|--|---|
| | | Rs. |
| 1 | Lieutenant-Governor | 8,333 $\frac{1}{3}$ |
| 1 | Chief Judge, Chief Court | 4,000 |
| 1 | Judge, Chief Court | 3,500 |
| 1 | Judicial Commissioner, Upper Burma | 3,500 |
| 1 | Financial Commissioner | 3,500 |
| 1 | Chief Secretary to Government | 3,000 |
| 8 | Commissioners of Divisions | 2,750 |
| 1 | Commissioner of Settlements and Director of Land Records. | 2,750 |
| 2 | Divisional Judges, 1st grade | 2,750 |
| 1 | President, Rangoon Municipality | 2,500 (a) |
| 1 | Director of Agriculture | 2,400 (d) |
| 2 | Divisional Judges, 2nd grade | 2,250 |
| (c) 12 | Deputy Commissioner, 1st grade | 2,250 |
| 1 | Revenue Secretary to Government | 2,250 (b) |
| 1 | Secretary to Government | 2,250 (b) |
| 2 | Divisional Judges, 3rd grade | 1,800 |
| (c) 13 | Deputy Commissioners, 2nd grade | 1,800 |
| 8 | District Judges | 1,500 |
| (c) 15 | Deputy Commissioners, 3rd grade | 1,500 |
| 1 | Deputy Director of Land Records | 1,600 (b) |
| 1 | Secretary to Financial Commissioner | 1,500 (b) |
| 1 | Registrar, Chief Court | 1,400 (b) |
| 6 | Settlement Officers | } Salary of grade <i>plus</i> special allowance of Rs. 150. |
| 1 | Registrar, Co-operative Credit Societies | |
| Total ... 83 | | |
| Deduct ... 5 | For posts listed as open to the Provincial Service. | |
| Add ... 6 | For posts under the Government of India. | |
| Balance ... 84 | | |
| | <i>Inferior posts, i.e., posts above the lowest grade of assistants, but below the "superior" posts in order of pay.</i> | |
| 11 | Assistant Commissioners, 1st grade | 1,000 |
| 13 | Assistant Commissioners, 2nd grade | 700 |
| 10 | Assistant Commissioners, 3rd grade | 600 |
| Total ... 34 | | |
| | <i>Reserve posts, i.e., Assistant Commissioners of the 4th grade.</i> | 450—500 |
| 3 | Reserve for temporary posts and for deputations. | |
| 35 | Leave reserve. | |
| 13 | Training reserve. | |
| Total ... 51 | | |

(a) Maximum salary, including a local allowance of Rs. 250 a month.

(b) Maximum salary including a local allowance of Rs. 400, Rs. 300, Rs. 200, Rs. 200 and Rs. 200, respectively.

(c) Includes Superintendent of Shan States, Collector of Rangoon and Commissioner of Excise, the latter officer drawing the salary of grade *plus* a local allowance of Rs. 250, without a maximum.

(d) Maximum salary including a local allowance of Rs. 150 a month.

A.—Indian Civil Service.]

APPENDIX VII.—*contd.*

LIST G.

BIHAR AND ORISSA.

Superior Posts in Order of Pay.

| Number. | Designation. | Pay of each. |
|---------------|--|-----------------|
| | | Rs. |
| 1 | Lieutenant-Governor | 8,333½ |
| 2 | Members of Council | 5,000 |
| 2 | High Court Judges | 4,000 |
| 1 | Member, Board of Revenue | 3,500 |
| 1 | Chief Secretary | 3,000 |
| (a) 2 | District and Sessions Judges, 1st grade | 3,000 |
| 5 | Commissioners | 2,916½ |
| 1 | Inspector-General of Police | 2,500—100—3,000 |
| (a) 5 | District and Sessions Judges, 2nd grade | 2,500 |
| (b) 9 | Magistrates and Collectors, 1st grade | 2,250 |
| (a) 5 | District and Sessions Judges, 3rd grade | 2,000 |
| (b) 10 | Magistrate and Collectors, 2nd grade | 1,800 |
| (b) 10 | Ditto, 3rd grade | 1,500 |
| Total ... 54 | | |
| Deduct —5 | For posts listed as open to the Provincial Service. | |
| Add +5 | Do. under the Government of India. | |
| Balance... 54 | On which recruitment is based. | |
| | <i>Inferior posts, i.e., posts above the lowest grade of assistants but below the "superior" posts (including one listed Under-Secretary) in order of pay.</i> | |
| 2 | Under-Secretaries | 1,000 |
| 10 | Joint Magistrates, 1st grade | 900 |
| 10 | Ditto, 2nd grade | 700 |
| Total ... 22 | | |
| | <i>Reserve posts, i.e., Assistant Magistrates.</i> | 400—500 |
| 2 | Reserve for temporary posts and for deputations. | |
| 22½ | Leave reserve. | |
| 8½ | Training reserve. | |
| Total ... 33 | | |

(a) Includes Superintendent and Remembrancer of Legal Affairs and Judicial Commissioner, Chota Nagpur.

(b) Includes two Secretaries to Government, and Directors of Land Records and Agriculture, Commissioner of Excise, Registrar of Co-operative Credit Societies, two Settlement Officers and Political Officer, Orissa.

[A.—Indian Civil Service.]

APPENDIX VII.—*contd.*

LIST H.

CENTRAL PROVINCES AND BERAR.

Superior Posts in Order of Pay.

| Number. | Designation. | Pay of each. |
|---|---|---|
| <i>Central Provinces.</i> | | Rs. |
| 1 | Chief Commissioner | 5,166½ |
| 1 | Financial Commissioner | 3,500 |
| 1 | Judicial Commissioner | 3,500 |
| 1 | Additional Judicial Commissioner | 3,000 |
| 1 | Second Additional Judicial Commissioner | 2,750 |
| 3 | Commissioners | 2,750 |
| 2 | Ditto | 2,500 |
| 1 | Senior Divisional Judge | 2,500 |
| (a) 8 | Deputy Commissioners, 1st class | 2,250 |
| (a) 12 | Ditto, 2nd class | 1,800 |
| (a) 14 | Ditto, 3rd class | 1,500 |
| 4 | Settlement Officers | } Salary of grade <i>plus</i> special allowance of Rs. 150. |
| 1 | Director of Agriculture | |
| 1 | Registrar, Co-operative Credit Societies | |
| Total ... 51 | | |
| Deduct ... - 6 | For posts listed as open to the Provincial Service. | |
| Add ... + 4 | Do. under the Government of India. | |
| Balance ... 49 | | |
| <i>Inferior posts, i.e., posts above the lowest grade of assistants, but below the "superior" posts in order of pay.</i> | | Rs. |
| 6 | Assistant Commissioners, 1st grade | 900 |
| 13 | Ditto, 2nd grade | 700 |
| Total ... 19 | | |
| NOTE.—There is a defect of one post. It has recently been proposed to correct the defect and to grade the 20 posts as follows:— | | |
| 10 | Assistant Commissioners, 1st grade | 900 |
| 10 | Ditto, 2nd grade | 700 |
| Total ... 20 | | |
| <i>Reserve posts, i.e., Assistant Commissioners of the lowest grade.</i> | | 400-500 |
| 2 | Reserve for temporary post and for deputations. | |
| 20 | Leave reserve. | |
| 8 | Training reserve. | |
| Total ... 30 | | |

(a) Includes Chief Secretary, Secretary, Political Agent of Chhattisgarh, Commissioner of Excise, Commissioner of Settlement, three Divisional Judges, Inspector-General of Police, and two District and Sessions Judges, and one Secretary to the Chief Commissioner. The Inspector-General of Police draws a local allowance of Rs. 450, subject to a maximum salary of Rs. 2,500 a month.

A.—Indian Civil Service.]

APPENDIX VII.—*contd.*

LIST I.

ASSAM.

Superior Posts in Order of Pay.

| Number. | Designation. | Pay of each. |
|----------------|--|--------------|
| | | Rs. |
| 1 | Chief Commissioner | 5,166½ |
| 2 | Commissioners | 2,750 |
| (a) 6 | Deputy Commissioners, 1st grade | 2,250 |
| (a) 7 | Ditto, 2nd grade | 1,800 |
| (a) 6 | Ditto, 3rd grade | 1,500 |
| Total ... 22 | | |
| Deduct Nil. | For posts listed as open to the Provincial Service. | |
| Add + 2 | Do. under the Government of India. | |
| Balance ... 24 | | |
| | <i>Inferior posts, i.e., posts above the lowest grade of assistants, but below the "superior" posts in order of pay.</i> | |
| 2 | Under-Secretaries | 1,000 |
| 4 | Joint Magistrates, 1st grade | 900 |
| 3 | Ditto, 2nd grade | 700 |
| Total ... 9 | | |
| | <i>Reserve posts, i.e., Assistant Magistrates.</i> | 400—500 |
| 1 | Reserve for temporary posts and for deputations. | |
| 10 | Leave reserve. | |
| 4 | Training reserve. | |
| Total 15 | | |

Includes Superintendent of Lushai Hills; Commissioner of Excise, Inspector-General of Registration and Registrar of Co-operative Credit Societies; Director of Land Records and Agriculture; two Secretaries to the Chief Commissioner; Inspector-General of Police; one Settlement Officer, and Political Agent, Manipur.

LIST J.

Superior Posts under the Government of India.

| Number. | Designation. | Pay of each. |
|---------|---|--------------|
| | | Rs. |
| 3 | Members of Council | 6,666½ |
| | Home Department— | |
| 1 | Secretary | 4,000 |
| 1 | Deputy Secretary | 2,000 |
| 1 | Director, Criminal Intelligence | 3,000 |
| 1 | Superintendent of Port Blair | 2,500—3,000 |
| | Finance Department— | |
| 1 | Secretary | 4,000 |
| 1 | Joint Secretary | 3,000 |
| 1 | Deputy Secretary | 2,250 |
| 1 | Comptroller and Auditor-General | 3,500—4,000 |
| 3 | Accountants-General | 2,250—2,750 |
| 3 | Officers of the India Finance Department | 1,100—1,800 |

[A.—Indian Civil Service.]

APPENDIX VII.—*concl'd.*LIST J.—*concl'd.*

| Number. | Designation. | Pay of each. |
|--------------|--|---|
| | Foreign Department— | Rs. |
| 1 | Secretary | 4,000 |
| 1 | Deputy Secretary | 2,250 |
| 23 | Political Officers | 1,100—4,000 |
| | Legislative Department— | |
| 1 | Secretary or Deputy Secretary | 3,000—3,500 or 2,000 |
| | Department of Revenue and Agriculture— | |
| 1 | Secretary | 4,000 |
| | Department of Commerce and Industry— | |
| 1 | Secretary | 4,000 |
| 1 | Director-General of Posts and Telegraphs | 3,000—3,500 |
| 4 | Postmasters-General | 1,500—1,750 or 1,750—2,000 or 2,250—2,500 |
| 1 | Commissioner, Northern India Salt Revenue | 2,500 |
| 1 | Inspector-General of Excise and Salt | 3,000 |
| 3 | Collectors of Customs. | 2,050—2,500 |
| 2 | Assistant Collectors of Customs | 1,150—1,400 |
| | Department of Education— | |
| 1 | Secretary | 3,000 |
| Total ... 58 | | |

BB.

STATEMENT showing for INDIA as a whole and by PRESIDENCIES and PROVINCES the actual strength of the INDIAN CIVIL SERVICE CADRE, as it stood on 1st July 1912, compared with the strength at which it should have stood on the same date in accordance with the sanctioned calculations.

| Provinces. | Sanctioned strength. | Actual strength on 1st July 1912. | Number of officers over(+) or under(−) strength. |
|--------------------------|----------------------|--|--|
| 1 | 2 | 3 | 4 |
| Madras | 175 | 173 | − 2 |
| Bombay | 173 | 176 (a) | + 3 |
| Bengal | 183 | 174 (b) | − 9 |
| United Provinces | 231 | 237 (c) | + 6 |
| Punjab | 154 | Civilians 162 (d) ... Military 29 (e) ... | 191 + 37 |
| Burma | 169 | Civilians 126 ... Military 49 ... | 175 + 6 |
| Bihar and Orissa | 109 | 107 (f) | − 2 |
| Central Provinces | 99 | 104 (g) | + 5 |
| Assam | 48 | Civilians 39 ... Military 9 ... | 48 ... |
| Total | 1,341 | 1,385 | + 44 |

(a) Excluding Sir B. Robertson, who permanently belongs to the Central Provinces, where he has been included, but including Mr. H. C. Mules of the Sind Commission.

(b) Excluding Messrs. Nathan and Hallet, who have been temporarily lent by Bihar and Orissa to Bengal and have been included in the Bihar and Orissa cadre.

(c) Including Sir H. Butler, who has not been numbered in the Civil List, but excluding Messrs. W. Alder and T. K. Johnston, who have been temporarily transferred to, and included in the Bengal cadre.

(d) Including Messrs. O'Dwyer, Lorimer, Barton, Grant, Rennie, Johnston, Glancy, Pipon, Bolton, Pears, Jelf, Howell, Bill, Copeland, Fraser, Fitzpatrick, Latimer, serving in the Political Department under the Government of India in the North-West Frontier Province, and Messrs. Bray and Cater, also serving under the Government of India in the Political Department in Baluchistan, and excluding Messrs. Cowan, Macnair and Jacob, serving in Bengal, where they have been included, and Mr. Gordon, serving in Assam, in which he has also been included.

(e) Including Lieutenant-Colonel Rawlinson, Mr. J. S. Donald, Major Blakeway, Lieutenant-Colonel Sir G. Roos-Keppele and Captain Keen, serving in the Political Department under the Government of India in the North-West Frontier Province.

(f) Excluding the late Mr. Shettle.

(g) Including Sir H. Robertson, who permanently belongs to the Central Provinces, but has been wrongly omitted from the Civil List, but excluding Messrs. Crawford (serving in Bihar and Orissa, where he has been included), and Liddell (serving in Bengal, in which he has been included), and three Indian members of the Berar Commission who have been treated as holding posts corresponding to three listed posts.

| Nature of posts. | MADRAS. | | BOMBAY. | | BENGAL. | | UNITED PROVINCES. | |
|---|---|-------------|---|---------|---|---------|--|---------|
| | No. | Pay. | No. | Pay. | No. | Pay. | No. | Pay. |
| | | Rs. | | Rs. | | Rs. | | Rs. |
| Lieutenant-Governors and Chief Commissioners. | ... | ..... | ... | ..... | ... | ..... | 1 | 8,333½ |
| Members of Councils... | 2 | 5,333½ | 2 | 5,333½ | 2 | 5,333½ | ... | ..... |
| Judges of High or Chief Courts. | 2 | 4,000 | 3 | 4,000 | 4 | 4,000 | 3 | 4,000 |
| Boards of Revenue or Financial Commissioners. | 4 { (1) 3,750 (1) 3,500 (2) 3,000 |  | ... | ..... | 1 | 3,750 | 2 | 3,500 |
| Commissioners of Divisions and others of same rank. | ... | ..... | 6 { (1) 3,750 (3) 3,500 (2) 3,000 | | 5 | 2,316½ | 10 { (9) 2,916½ (1) 2,500 | |
| Secretaries to Government. | 3 { (1) 3,750 (1) 3,125 (1) 2,500 | | 3 { (1) 3,750 (1) 3,125 (1) 2,500 | | 3 { (1) 3,333½ (2) 2,750 | | 1 | 3,000 |
| Secretaries to Boards of Revenue or Financial Commissioners. | 2 | 1,500-1,800 | ... | ..... | ... | ..... | ... | ..... |
| Judicial Commissioners | ... | ..... | 2 { (1) 3,000 (1) 2,750 |  | ... | ..... | 2 { (1) 3,500 (1) 3,333½ | |
| District and Sessions Judges or Divisional Judges and District Judgos. | 22 { (2) 3,000 (7) 2,500 (7) 2,250 (6) 2,000 | | 18 { (3) 2,500 (6) 2,325 (9) 1,800 | | 30 { (3) 3,000 (13) 2,500 (14) 2,000 | | 28 { (2) 3,000 (7) 2,500 (6) 2,250 (10) 1,833½ (3) 1,666½ (19) 2,250 (21) 1,833½ (10) 1,666½ (2) 1,500 (2) 1,000 | |
| Collectors or Deputy Commissioners. | 27 { (7) 2,500 (14) 2,250 (6) 1,500 | | 29 { (13) 2,325 (15) 1,800 (1) 1,500 | | 39 { (12) 2,250 (13) 1,800 (14) 1,500 | | 54 { (12) 2,250 (13) 1,800 (14) 1,500 | |
| Political Officers | 1 | 2,800 | 3 | ..... | ... | ..... | ... | ..... |
| Miscellaneous posts | (a) 4 { (1) 2,500-3,000 (1) 1,800-2,000 (1) 1,500-1,800 (1) 1,500 | | (b) 6 { (1) 2,500-3,000 (1) 1,700 (1) 1,500 (1) 1,250-1,500 (2) 1,100 | | (c) 6 { (1) 3,500 (1) 3,000 (1) 2,500-3,000 (1) 1,700 (1) 1,500 (1) 1,300 | | (d) 4 { (3) 2,500-3,000 (1) 1,500 (1) 1,100 | |
| Under-Secretaries to Government. | 3 | 1,000 | 2 | 1,250 | 2 | 1,100 | 3 { (2) 1,000 (1) 800 | |
| Joint Magistrates or Assistant Commissioners, 1st grade. | 20 | 1,200 | ... | ..... | ... | ..... | ... | ..... |
| Joint Magistrates or Assistant Commissioners, 2nd (1st) grade. | 16 | 900 | 17 | 900 | 17 | 900 | 22 { (15) (e) 1,000 (7) (f) 800 | |
| Joint Magistrates or Assistant Commissioners, 3rd (2nd) grade. | 16 | 700 | 18 | 700 | 17 | 700 | 20 | 700 |
| Joint Magistrates or Assistant Commissioners, 4th (3rd) grade. | ... | ... | ... | ..... | ... | ..... | ... | ..... |
| Assistant Collectors or Commissioners. | 53 | 400-500 | 57 | 400-500 | 56 | 400-500 | 71 | 400-500 |
| Appointments which do not carry fixed pay and the salary of which depends on the position of their holders. | ... | ..... | 5 | ..... | ... | ..... | 7 | ..... |
| Total | 175 | ..... | 171 | ..... | 182 | ..... | 228 | ..... |

(a) Inspector-General of Police, Commissioner of Coorg, Registrar of High Court and Private Secretary to Governor.

(b) Inspector-General of Police, Registrar of High Court, Private Secretary to Governor, Assistant Legal Remembrancer, Assistant to Commissioner in Sind and Talukdari Settlement Officer.

(c) Chairman of Calcutta Corporation, Chairman of Calcutta Improvement Trust, Inspector-General of Police, Registrar of High Court, Private Secretary to Governor and Deputy Chairman of Calcutta Corporation.

(d) Inspector-General of Police, Opium Agent, Registrar of High Court and Assistant Judge.

(e) Includes City Magistrate of Lucknow.

(f) Includes an Assistant Judge.

DIX VIII.

| PUNJAB. | | BURMA. | | BIHAR AND ORISSA. | | CENTRAL PROVINCES AND BERAH. | | ASSAM. | |
|---------|-----------------|--------|------------|-------------------|-------------|---------------------------------|------------|--------|-----------|
| No. | Pay. | No. | Pay. | No. | Pay. | No. | Pay. | No. | Pay. |
| | Rs. | | Rs. | | Rs. | | Rs. | | Rs. |
| 1 | 8,333½ | 1 | 8,333½ | 1 | 8,333½ | 1 | 5,166½ | 1 | 5,166½ |
| ... | | ... | | 2 | 5,000 | ... | ..... | ... | ..... |
| 3 { | (1) 4,000 | 2 { | (1) 4,000 | 2 | 4,000 | ... | ..... | ... | ..... |
| | (2) 3,500 | | (2) 3,500 | | | | | | |
| 2 | 3,500 | 1 | 3,500 | 1 | 3,500 | 1 | 3,500 | ... | ..... |
| 5 | 2,750 | 9 | 2,750 | 5 | 2,916½ | 5 { | (3) 2,750 | 2 | 2,750 |
| | | | | | | | (2) 2,500 | | |
| 1 | 3,000 | 1 | 3,000 | 1 | 3,000 | ... | ..... | ... | ..... |
| 2 { | (1) 1,200-1,800 | ... | ... | ... | ..... | ... | ..... | ... | ..... |
| | (1) 1,000-1,500 | | | | | | | | |
| ... | ..... | 1 | 3,500 | ... | ... | 3 { | (1) 3,500 | ... | ..... |
| | | | | | | | (1) 3,000 | | |
| | | | | | | | (1) 2,750 | | |
| 24 { | (2) 2,750 | 14 { | (2) 2,750 | 12 { | (2) 3,000 | 1 | 2,500 | (7) | ..... |
| | (3) 2,500 | | (2) 2,250 | | (6) 2,500 | | | | |
| | (5) 2,250 | | (2) 1,800 | | (5) 2,000 | | | | |
| | (6) 1,800 | | (8) 1,500 | | | | | | |
| | (8) 1,500 | | | | | | | | |
| 34 { | (10) 2,250 | 40 { | (12) 2,250 | 29 { | (9) 2,250 | 34(i) { | (8) 2,250 | 19 { | (6) 2,250 |
| | (11) 1,800 | | (13) 1,800 | | (10) 1,800 | | (12) 1,800 | | (7) 1,800 |
| | (13) 1,500 | | (15) 1,500 | | (10) 1,500 | | (14) 1,500 | | (8) 1,500 |
| ... | | ... | | ... | | ... | | ... | |
| (g) 1 | 1,250 | ... | ..... | 1 (h) | 2,500-3,000 | ... | ..... | ... | ..... |
| 2 | 1,000 | ... | ..... | 2 | 1,000 | ... | ..... | 2 | 1,000 |
| ... | | ... | | ... | | ... | | ... | |
| 14 | 900 | 11 | 1,000 | 10 | 900 | 6 | 900 | 4 | 900 |
| 15 | 700 | 13 | 700 | 10 | 700 | 13 | 700 | 3 | 700 |
| ... | ..... | 10 | 600 | ... | ..... | ... | ..... | ... | ..... |
| 47 | 400-500 | 51 | 450-500 | 33 | 400-500 | 31 | 400-500 | 15 | 400-500 |
| 7 | ..... | 14 | ..... | ... | ..... | 6 | ..... | ... | ..... |
| 158 | ..... | 168 | ..... | 109 | ..... | 101 | ..... | 46 | ..... |

(g) Registrar of Chief Court.

(h) Inspector-General of Police.

(i) Includes Divisional Judges except the Senior Divisional Judge.

(j) Three District and Sessions Judges are graded with the Bengal cadre.

A.—Indian Civil Service.]

APPENDIX VIII—concluded.

DD.

| Presidency or Province. | COLLECTORS OR DEPUTY COMMISSIONERS. | | | | | | DISTRICT AND SESSIONS JUDGES, INCLUDING DIVISIONAL AND DISTRICT JUDGES. | | | | | | JOINT MAGISTRATES, ASSISTANT COLLECTORS AND ASSISTANT COMMISSIONERS. | | | | | |
|------------------------------|-------------------------------------|---|--------------|--|--------------|--|---|-------------------------------|---|--------------|--|--------------|--|--------------|--|--------------|-------------------------------|--------------|
| | Total number of appointments. | Appointments in the grades of Rs. 2,250 and over. | | Appointments in the grades of Rs. 1,800 and over, but less than Rs. 2,250. | | Appointments in the grades of Rs. 1,500 and over, but less than Rs. 1,900. | | Total number of appointments. | Appointments in the grades of Rs. 2,250 and over. | | Appointments in the grades of Rs. 1,800 and over, but less than Rs. 2,250. | | Appointments in the grades of Rs. 1,500 and over, but below Rs. 900. | | Appointments in the grades of Rs. 900 and over, but below Rs. 700. | | Total number of appointments. | Per-centage. |
| | | No. | Per-centage. | No. | Per-centage. | No. | Per-centage. | | No. | Per-centage. | No. | Per-centage. | No. | Per-centage. | No. | Per-centage. | | |
| Madras | 27 | 21 | 77.8 | 6 | 22.2 | ... | ... | 22 | 16 | 72.7 | 6 | 27.3 | ... | ... | 36 | 34 | 105 | 50.4 |
| Bombay | 29 | 13 | 44.8 | 15 | 51.7 | 1 | 3.5 | 18 | 9 | 50 | 9 | 50 | ... | ... | 17 | 18.5 | 92 | 61.9 |
| Bengal | 39 | 12 | 30.8 | 13 | 33.3 | 14 | 35.9 | 30 | 16 | 53.3 | 14 | 46.7 | ... | ... | 17 | 18.8 | 90 | 62.2 |
| United Provinces | 54 | 19 | 35.2 | 21 | 38.9 | 14* | 25.9 | 28 | 15 | 53.6 | 10 | 35.7 | 3 | 10.7 | 15 | 13.3 | 119† | 62.8 |
| Punjab | 34 | 10 | 29.5 | 11 | 32.3 | 13 | 38.2 | 24 | 10 | 41.7 | 6 | 25 | 8 | 33.3 | 14 | 18.4 | 76 | 61.8 |
| Burma | 40 | 12 | 30 | 13 | 32.5 | 15 | 5 | 14 | 4 | 28.6 | 2 | 14.3 | 8 | 57.1 | 11 | 12.9 | 85 | 71.8 |
| Bihar and Orissa | 29 | 9 | 31.0 | 10 | 34.5 | 10 | 34.5 | 12 | 7 | 58.3 | 5 | 41.7 | ... | ... | 10 | 18.9 | 53 | 62.2 |
| Central Provinces and Berar. | 34 | 8 | 23.5 | 12 | 35.3 | 14 | 41.2 | 1 | 1 | 100 | ... | ... | ... | ... | 6 | 12 | 50 | 62 |
| Assam | 19 | 6 | 31.6 | 7 | 36.8 | 6 | 31.6 | ... | ... | ... | ... | ... | ... | ... | 4 | 18.1 | 22 | 68.3 |

* Includes two hill Deputy Commissionerships which carry a pay of Rs. 1,000 each on account of their amenities.

† Includes City Magistrate, Lucknow, and an Assistant Judge on Rs. 800.

[A.—Provincial Civil Service.

APPENDIX A.

*Resolution of the Government of India, Home Department (Establishments), Nos. 1046-1058,
dated Simla, the 19th August 1910.*

The Governor-General in Council has had under consideration the recommendation made by the Royal Commission on Decentralization at the end of paragraph 128 of their Report on the subject of framing rules for the recruitment of provincial services. The majority of the Commission consider it unnecessary that rules for the recruitment of those services should, as is now the case, require the sanction of the Government of India, and they express the opinion that the functions of that Government should be limited to laying down a few general principles as to eligibility for appointment, etc., on which detailed provincial rules would be based.

2. In the present Resolution the Governor-General in Council proposes to deal only with the provincial civil services (executive and judicial). The case of other provincial services will be separately considered.

3. The present system, under which the previous sanction of the Government of India is required to making or altering the rules for the recruitment of the provincial civil services, was introduced in 1892, as the result of the Report of the Public Service Commission. The Governor-General in Council has now decided to accept in substance the recommendation of the Decentralization Commission, and is pleased accordingly to invest local Governments with the power to make rules for the recruitment of the provincial civil services without the previous sanction of the Government of India, but subject to their general control. The general conditions which should govern such recruitment have been already fully considered in connection with the inquiries made by the Public Service Commission, and the Governor-General in Council, upon a further consideration of the subject, sees no reason to modify the conclusions then arrived at. It will, however, be convenient to re-state them in the present connection, as follows :—

- I. The rules must be adapted, on the one hand, to obtain thoroughly efficient candidates, and, on the other, to secure the due representation in the public service of the different classes of the community.
- II. Every candidate for appointment by recruitment must furnish satisfactory evidence—
 - (a) that he is not over 25 years of age, except in the case of Barristers, Advocates, or Pleaders appointed to the Judicial Branch; these excepted cases will be governed by Article 51 of the Civil Service Regulations;
 - (b) that he has attained a prescribed preliminary standard of general education to be fixed by local Governments with reference to local conditions, the object being to secure men qualified by as high a standard of general education as the conditions and requirements of the local administration permit. In particular, qualification in one or more of the vernacular languages of the province in which he is to be employed is to be insisted on. The vernacular standard should be a high one, involving a thorough knowledge of the language and ability to write and read the written character with facility;
 - (c) that he is of sound health, good physique, and active habits; and
 - (d) that he is of good character.
- III. Every person appointed to the provincial civil service by direct recruitment shall be subject to a period of probation or training, during which time his appointment will be probationary only, unless in special cases the local Government declares such probation or training to be unnecessary.
- IV. The subjects of Native Princes in alliance with His Majesty shall be eligible for appointment, provided they are qualified in other respects.
- V. Admission to the provincial civil service should usually be confined to persons who are Natives of the province or have definitely settled in it. In the case of candidates who are not Natives of the province, recent residence of at least three years in the province should, as a general rule, be an essential condition of admission. No Barrister, Advocate, or Pleader should be appointed as such, unless he has been at least three years actually practising his profession in India and can speak the provincial vernacular.
- VI. Europeans who are not statutory Natives of India shall be eligible for appointment, if qualified according to the above conditions, with the sanction of the Government of India.
- VII. The local Government should reserve to itself the right to make promotion to the superior grades of the provincial civil service without regard to seniority, and seniority alone should not give a claim to appointment to the grade of Rs. 500 a month and higher grades.
- VIII. The Government of India retain power in very special cases to make direct appointments to offices in the higher grades of the provincial civil services, and whenever the Government of India exercise this power in the case of judicial officers, it will be confined to Barristers, Advocates, or Pleaders of the High Courts who have shown distinguished ability in the exercise of their profession for not less than ten years and have a thorough knowledge of the vernacular.

A.—Provincial Civil Service.]

IX. No member of the provincial civil service shall be dismissed otherwise than on the result of a judicial or formal departmental inquiry.

4. The Governor-General in Council directs that any change made in the rules from time to time should be forthwith communicated to the Government of India in the Home Department, in order that they may be in a position to exercise effective general control. His Excellency in Council considers it desirable, moreover, that this resolution should be published by the local Governments and Administrations as part of the respective provincial rules.

* Madras.
Bombay.
Bengal.
United Provinces,

Punjab.
Burma.
Eastern Bengal and
Assam.

† Foreign.
Revenue and Agriculture.

Public Works.
Commerce and Industry.

ORDER.—Ordered that a copy of this Resolution be forwarded to the local Governments* and Departments of the Government of India† noted on the margin and to the Honourable the Chief Commissioner of the Central Provinces for information.

A. EARLE,

Offg. Secy. to the Govt. of India.

[A.—Provincial Civil Service.]

APPENDIX B.

| Office. | Rate of pay in Rupees. | NUMBER OF APPOINTMENTS IN EACH GRADE. | | | | | | | | | | | | | |
|--|------------------------|---------------------------------------|----------------------------|-------|-------|---------|-------------------|-------|--------|---------|--------|-------------------|--------------------|--------|--------|
| | | Madras. | Bombay. | | | Bengal. | United Provinces. | | | Panjab. | Burma. | Bihar and Orissa. | Central Provinces. | Assam. | Total. |
| | | | Presi- dency proper. | Sind. | Total | | Agra. | Oudh. | Total. | | | | | | |
| <i>Executive Branch.</i> | | | | | | | | | | | | | | | |
| Deputy Collectors in Madras, Bengal, the United Provinces and Bihar and Orissa. | 800 | 3 | ... | ... | 2 | 5 | ... | ... | 4 | 3 | 3 | 4 | 2 | 1 | 27 |
| | 700 | 6 | . | . | 3 | 7 | ... | ... | 6 | 4 | 5 | 5 | 3 | 1 | 40 |
| | 600 | 8 | ... | ... | 7 | 16 | ... | ... | 12 | 5 | 10 | 12 | 6 | 3 | 79 |
| | 500 | 29 | ... | ... | 23 | 48 | ... | ... | 35 | 12 | 36 | 36 | 14 | 10 | 243 |
| | 400 | 32 | ... | ... | 23 | 71 | ... | ... | 63 | 24 | 36 | 52 | 23 | 14 | 328 |
| | 300 | 29 | ... | ... | 24 | 73 | ... | ... | 55 | 25 | 35 | 54 | 24 | 15 | 334 |
| Extra Assistant Commissioners in the Punjab, Burma, Central Provinces and Assam. | 250 | 30 | ... | ... | ... | 79 | ... | ... | 58 | (a)40 | ... | 59 | 14 | 16 | 296 |
| | 200 | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | 12 | ... | 12 |
| Total .. | ... | 137 | . | . | 82 | 259 | . | .. | 223 | 113 | 125 | 222 | 98 | 60 | 1,369 |
| Mamlatdars | 250 | . | 29 | . | 29 | .. | .. | .. | .. | .. | .. | .. | ... | .. | 29 |
| | 225 | .. | 34 | . | 34 | ... | .. | .. | .. | .. | .. | .. | ... | .. | 34 |
| | 200 | ... | 39 | ... | 39 | ... | .. | .. | .. | ... | ... | ... | .. | ... | 39 |
| | 175 | ... | 45 | ... | 45 | ... | .. | .. | .. | ... | ... | ... | .. | ... | 45 |
| | 150 | ... | 50 | ... | 50 | ... | .. | .. | .. | .. | ... | ... | ... | .. | 50 |
| Total .. | ... | ... | 197 | ... | 197 | ... | ... | ... | .. | ... | ... | ... | ... | ... | 197 |
| Total (Executive Branch) | ... | 137 | ... | .. | 279 | 259 | . | ... | 223 | 113 | 125 | 222 | 98 | 60 | 1,556 |
| <i>Judicial Branch.</i> | | | | | | | | | | | | | | | |
| Subordinate Judges (also called Judicial Extra Assistant Commissioners in the Punjab and District Judges in the Central Provinces in the grades of Rs. 500 and upwards). | 1,000 | ... | ... | ... | ... | 6 | .. | ... | ... | ... | ... | 2 | ... | . | 8 |
| | 800 | 4 | 3 | 1 | 4 | 12 | 3 | 2 | 5 | 3 | 1 | 6 | 2 | ... | 37 |
| | 700 | ... | ... | ... | ... | ... | ... | ... | ... | 4 | 1 | ... | 3 | ... | 8 |
| | 650 | 5 | 4 | 1 | 5 | ... | 7 | 3 | 10 | ... | ... | ... | ... | ... | 20 |
| | 600 | ... | ... | ... | ... | 24 | ... | ... | ... | 5 | 2 | 12 | 5 | ... | 48 |
| | 500 | 9 | 8 | 1 | 9 | ... | 9 | 7 | 16 | 12 | 8 | ... | 5 | ... | 69 |
| | 400 | ... | ... | ... | ... | ... | ... | ... | ... | 12 | 8 | ... | 17 | ... | 37 |
| 300 | ... | ... | ... | ... | ... | ... | ... | ... | 12 | 9 | ... | 16 | ... | 37 | |
| Total ... | ... | (d)18 | 15 | 3 | 18 | (b)42 | 19 | 12 | 31 | 48 | 29 | (b)20 | 48 | (b) | 254 |
| Munsifs (also called Subordinate Judges, 2nd class, in Bombay). | 500 | .. | ... | 2 | ... | 12 | .. | ... | ... | ... | ... | ... | ... | ... | 12 |
| | 400 | 33 | 19 | 2 | 21 | 61 | 22 | 8 | 30 | ... | ... | 20 | ... | ... | 165 |
| | 300 | 33 | 22 | 4 | 26 | 70 | 24 | 8 | 32 | ... | ... | 19 | ... | ... | 180 |
| | 250 | 33 | ... | ... | ... | 66 | ... | ... | ... | ... | ... | 19 | ... | ... | 118 |
| | 200 | 29 | 36 | 5 | 41 | 36 | 22 | 10 | 32 | .. | ... | 10 | ... | ... | 148 |
| | 175 | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... |
| 150 | ... | 12 | 3 | 15 | ... | ... | ... | ... | ... | ... | ... | ... | ... | 15 | |
| Total ... | ... | (e)128 | 89 | 14 | 103 | (b)245 | 68 | 26 | 94 | (c) | (c) | (b)68 | (c) | (b) | 638 |
| Total (Judicial Branch) | .. | 146 | 104 | 17 | 121 | 287 | 87 | 38 | 125 | 48 | 29 | 88 | 48 | ... | 892 |
| GRAND TOTAL ... | ... | 283 | ... | ... | 400 | 586 | ... | ... | 348 | 161 | 154 | 310 | 146 | 60 | 2,449 |

(a) This grade is common to both the Judicial and Executive Branches.

(b) The Subordinate Judges and Munsifs employed in Assam are included in the Bengal cadre, and both that cadre and the Bihar and Orissa cadre have been shown above in accordance with the scale proposed by the Calcutta High Court. This matter is under discussion in connection with the recent territorial changes.

(c) Munsifs in the Punjab and the Central Provinces and Judicial Mooks in Burma belong to the Subordinate Judicial Service, and are paid at rates ranging from Rs. 150 to Rs. 250 a month.

(d) Includes four appointments which have been added since the last general reorganization in 1884.

(e) " threes " " " " " revision of the grades in August 1911.

B.

QUESTIONS RELATING TO THE INDIAN AND PROVINCIAL CIVIL SERVICES.

[Note.—In replies to these questions, it should be clearly specified whether the reply refers to the whole Provincial Civil Service, or to the Executive Branch or to the Judicial Branch.]

INDIAN CIVIL SERVICE.

1. What is your experience of the working of the present system of recruitment by open competitive examination in England for the Indian Civil Service? Do you accept it as generally satisfactory in principle?

2. In what respects, if any, do you find the present system faulty in detail, and what alterations would you suggest?

3. Is the system equally suitable for the admission of "Natives of India"* and of other natural-born subjects of His Majesty? If not, what alteration do you recommend?

* The term "Natives of India" has been defined in section 6 of the Government of India Act, 1870 (33 Vict., c. 3), as including any person born and domiciled within the Dominions of His Majesty in India, of parents habitually resident in India and not established there for temporary purposes only, and the term is so used throughout these questions.

4. Do you consider that the combination of the open competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Service is or is not to the advantage of Indian interests? Please give your reasons.

5. If you do not consider the present system of recruitment by an open competitive examination to be satisfactory in principle, please state what alternative you would propose.

6. In particular, what would be your opinion regarding a system of simultaneous examinations in India and in England, open in both cases to all natural-born subjects of His Majesty?

7. What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service cadre by Natives of India, recruited by means of a separate examination in India, or by means of separate examinations in each province or group of provinces in India? If you favour such a scheme, what proportion do you recommend?

8. If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which Natives of India would be selected in India for admission to the Indian Civil Service by means of (a) nomination, (b) combined nomination and examination, or (c) any other method? If so, describe fully what system you would recommend. In particular, do you consider it desirable that all classes and communities should be represented in the appointments so made? If so, how would you give effect to this principle?

9. If you are in favour of a system for the part recruitment of the Indian Civil Service by Natives of India in India, do you consider that "Natives of India" should still be eligible for appointment in England?

10. Would you regard any system of selection in India which you may recommend for young men who are "Natives of India," as being in lieu of, or as supplementary to, the present system of promoting to listed posts officers of the Provincial Civil Service? If the former, what alteration, if any, would you recommend in the conditions governing the Provincial Civil Service?

11. Do you recommend any separate method of recruitment for the Judicial Branch of the Indian Civil Service? If so, please describe the system which you would propose.

12. Are you satisfied with the present statutory definition of the term "Natives of India" in section 6 of the Government of India Act, 1870 (33 Vict., c. 3), as including "any person born and domiciled within the Dominions of His Majesty in India, of parents habitually resident in India, and not established there for temporary purposes only," irrespective of whether such persons are of unmixed Indian descent, or of mixed European and Indian descent, or of unmixed European descent? If not, state fully any proposals that you wish to make in regard to this matter.

13. If the system of recruitment by open competitive examination in England is retained, state the age-limits that you recommend for candidates at such examination, giving your reasons.

14. What in your opinion is the most suitable age at which junior civilians recruited in England should commence their official duties in India?

15. What age-limits for the open competitive examination in England would best suit candidates who are Natives of India, and for what reasons? Do you recommend any differentiation between the age-limits for Natives of India, and for other natural-born subjects of His Majesty?

16. What alterations, if any, do you recommend in the authorized syllabus of subjects and marks prescribed for the open competitive examination?

17. Is any differentiation in the subjects for the open competitive examination in England desirable between candidates who are Natives of India and other candidates? If so, state them and give reasons.

18. Do you consider it necessary that certain posts should be reserved by statute for officers recruited to the Indian Civil Service, and, if so, what posts and for what reasons?

19. Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the Civil administration? If so, to what proportion of the posts included in the Indian Civil Service cadre do you consider that Natives of India might under present conditions properly be admitted?

20. Do you accept as generally satisfactory in principle the present system under which Natives of India are recruited for posts in the Indian Civil Service cadre partly through the medium of an open competitive examination in England, and partly by special arrangement in India?

21. Do you consider that the old system of appointment of "Statutory Civilians" under the Statute of 1870 should be revived, and, if so, what method of recruitment would you recommend?

[B.—Indian and Provincial Civil Services.

22. If the system of recruiting military officers in India for posts in the Indian Civil Service cadre has been stopped or has never existed in your Province, would you advise its re-introduction or introduction, as the case may be, and if the system should be introduced or re-introduced, to what extent, in your opinion, should it be adopted?

23. Do you consider that such a system should be restricted to the recruitment of military officers, or extended to the recruitment of selected officers from other Indian services?

24. What is your opinion of the system by which certain posts, ordinarily held by members of the Indian Civil Service, are declared to be posts (ordinarily termed listed posts) to which members of the Provincial Civil Service can properly be appointed?

25. Are you satisfied with the present rule which prescribes that Natives of India, other than members of the Provincial Civil Service or Statutory Civilians, may be appointed to one quarter of the listed posts?

26. Are you satisfied with the system by which most of the inferior listed posts are merged in the Provincial Civil Service?

27. Is the class of posts listed suitable? If not, in what directions would you suggest any changes, and why?

28. Please add such remarks as you may desire to offer on any points relating to the system of recruitment for Indian Civil Service posts which are not covered by your answers to the foregoing questions.

29. Do you consider that candidates recruited for the Indian Civil Service by open competitive examination should undergo a period of probation before being admitted to the Service?

30. If so, how long, in your opinion, should this period be, and what course of study should be prescribed for the probationers?

31. Do you consider that any differentiation is necessary between the course of study for probationers who are Natives of India and the course prescribed for other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend.

32. Do you consider that the probationers' course of instruction could best be spent in England or in India? Is your answer equally applicable to the case of Natives of India and of other natural-born subjects of His Majesty?

33. Do you think it desirable to start, at some suitable place in India, a college for the training of probationers of the Indian Civil Service, and possibly of other Indian Services recruited in England?

34. Do you think it desirable that each provincial Government should arrange for the training of probationers by suitable courses of instruction for the whole or portions of the first two years of service at some suitable centre?

35. Are you satisfied with the present arrangements for the training of junior officers of the Indian Civil Service after they have taken up their appointments in India? If not, what change should, in your opinion, be introduced?

36. Do you consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service? If so, what are the causes? Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages, and, if not, how could this best be remedied?

37. Please give your views as to what steps (if any) are necessary to improve the proficiency in the knowledge of law of members of the Indian Civil Service, distinguishing between recommendations applicable to all officers and to officers selected for the Judicial Branch.

38. Do you recommend any special course of study in law in India for officers selected for the Judicial Branch?

39. Do you recommend any special training in subordinate judicial posts in India for officers selected for the Judicial Branch? If so, please give details.

40. Is any differentiation desirable in a system of training after appointment in India between members of the Indian Civil Service who are Natives of India and other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend.

41. If you have recommended the introduction of any scheme of direct recruitment in India for Natives of India, whether in lieu of, or supplementary to, the system of recruitment in England, please state what system of probation and training you recommend for officers so recruited.

42. Is any differentiation necessary in regard to the probation and training of members of the Indian Civil Service who are Natives of India as between persons of unmixed Indian descent, of mixed European and Indian descent, and of unmixed European descent? If so, please state your proposals.

43. Please add such remarks as you may desire to offer on any points relating to the probation and training of members of the Indian Civil Service which are not covered by your answers to the foregoing questions.

44. Do you consider that the numbers of officers authorized for the various grades of the Indian Civil Service are satisfactory? If not, please state your views.

45. Do you consider that the exchange compensation allowance introduced in 1893, eligibility for which depends on nationality or domicile, should be abolished, and, if so, under what conditions? Should such abolition apply to officers already employed or be restricted to future entrants?

46. If abolition is recommended with compensation in the form of increased salaries, what is your opinion regarding the grant of a similar increase of salary to those members of the service who now draw no exchange compensation allowance?

47. Turning now to the case of the Statutory Civilians and officers of the Provincial Civil Services holding listed posts, do you approve of the arrangement by which they draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various grades of the Service?

[B.—Indian and Provincial Civil Services.

48. Have you any proposals to make in regard to the leave rules applicable to members of the Indian Civil Service?

49. Have you any proposals to make in regard to the leave rules applicable to Statutory Civilians and to members of the Provincial Civil Services holding listed posts? In particular, do you consider that separate sets of rules for such officers and for officers of the Indian Civil Service are desirable?

50. Please add such other remarks as you may desire to offer on any point relating to the conditions of service, salary, leave, and pension in the Indian Civil Service.

PROVINCIAL CIVIL SERVICE.

51. Please refer to Government of India Resolution No. 1046—1058, dated the 19th August 1910, defining the general conditions which should govern recruitment to the Provincial Civil Service and reproduced as Appendix A.* Are these conditions suitable, or have you any recommendations to make for their alteration?

52. In particular, are the rules for the recruitment of the Provincial Civil Service in force in your Province suitable, or have you any recommendations to make for their alteration?

53. Do you consider that recruitment for a Provincial Civil Service should ordinarily be restricted to residents of the province to which it belongs?

54. Are all classes and communities duly represented in your Provincial Civil Service? Do you consider that this is desirable, and what arrangements do you recommend to secure this object?

55. Are you satisfied with the existing arrangements for the training and probation of officers appointed to the Provincial Civil Service? If not, please state your objections and what other arrangement you recommend?

56. Do you consider that the numbers of officers authorized for the various grades of your Provincial Civil Service are satisfactory? If not, please state your views.

57. To what extent are the functions of the officers of the Executive and Judicial Branches of your Provincial Civil Service differentiated? Is any change desirable, and, if so, in what direction?

58. Are you satisfied with the present designation "the Provincial Civil Service"? If not, what would you suggest?

59. Do you accept as suitable the principle recommended by the Public Service Commission of 1886-87, and since followed, that the conditions of the Provincial Civil Services as regards salary should be adjusted by a consideration of the terms necessary to secure locally the desired qualifications in the officers appointed? If not, what principle do you recommend?

60. Are the existing rates of pay and grading in the Provincial Civil Service of your Province adequate to secure the desired qualifications in the officers appointed? If not, what alterations do you recommend?

61. Do you approve of the arrangement by which officers of the Provincial Civil Service holding listed posts draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various appointments?

62. Have you any proposals to make with regard to the leave rules applicable to the Provincial Civil Service? In particular, do you regard the existing differences between the leave rules for the European and Indian Services as suitable?

63. Are you satisfied with the present system of superannuation pensions for officers of the Provincial Civil Service? If not, please say what modifications you would suggest and on what grounds?

64. Are you satisfied with the existing organization of the Provincial Civil Service? If not, please state what alternative organization you consider desirable, and explain fully your views, making any suggestions that appear to you to be suitable.

65. Have you any other proposals to make in regard to the Provincial Civil Service not covered by your answers to the above questions? If so, please explain them.

* *Vide p. xxxiii.*

MINUTES OF EVIDENCE

TAKEN BEFORE THE

ROYAL COMMISSION

ON THE

PUBLIC SERVICES IN INDIA.

At Calcutta.

Thursday, 23rd January 1913.

TENTH DAY.

PRESENT :

THE RIGHT HON. THE LORD ISLINGTON, K.C.M.G., D.S.O. (*Chairman*).

THE EARL OF RONALDSHAY, M.P.
SIR MURRAY HAMMICK, K.C.S.I., C.I.E.
SIR THEODORE MORISON K.C.I.E.
SIR VALENTINE CHIROL.
MAHADEV BHASKAR CHAUBAL, Esq., C.S.I.

ABDUR RAHIM, Esq.
GOPAL KRISHNA GOKHALE, Esq., C.I.E.
WALTER CULLEY MADGE, Esq., C.I.E.
FRANK GEORGE SLY, Esq., C.S.I.
JAMES RAMSAY MACDONALD, Esq., M.P.

And the following Assistant Commissioners:—

CECIL HENRY BOMPAS, Esq., Chairman
of the Calcutta Improvement Trust.

SARODA PRASAD SEN, Esq., Additional
Sessions Judge, Sylhet.
RAI BAHADUR PRIYA NATH MUKHERJI,
Inspector-General of Registration, Bengal

M. S. D. BUTLER, Esq., C.V.O., C.I.E. } *Joint Secretaries.*
R. R. SCOTT, Esq.

THE REV. E. L. STRONG, Oxford Mission, Barisal.

Written answers relating to the Indian Civil Service.

9606 (12). Are you satisfied with the present statutory definition of the term "Natives of India" in section 6 of the Government of India Act, 1870 (33 Vict., c. 3), as including "any person born and domiciled within the Dominions of His Majesty in India, of parents habitually resident in India, and not established there for temporary purposes only," irrespective of whether such persons are of unmixed Indian descent, or of mixed European and Indian descent, or of unmixed European descent? If not, state fully any proposals that you wish to make in regard to this matter?—If it is necessary to use the term "Natives of India," it seems to me desirable that it should include all who are included in the above definition. But in view of the false significance which the word "Native" almost always bears in India, and of the extreme irritation and even hatred which is caused by the use of the word to almost all educated Indians, it seems to me most important that the use of the word should be discontinued in all Government documents: and that persons of unmixed Indian descent should

always be called "Indians"; of unmixed European descent, "Europeans"; of mixed European and Indian descent, "Anglo-Indians," or whatever term is finally selected for those who have hitherto been called "Eurasians."

9607 (22). If the system of recruiting military officers in India for posts in the Indian Civil Service cadre has been stopped or has never existed in your province, would you advise its reintroduction or introduction, as the case may be, and if the system should be introduced or reintroduced, to what extent, in your opinion, should it be adopted?—I should advise that this system of recruiting should be introduced to a considerable extent, unless a change is made in the system of training young officials of the Indian Civil Service. For I consider that, as things now are, military officers as a rule have had a better training for dealing with and behaving to the people with whom and for whom they work. [See answers to questions (29)—(31).]

9608 (29). Do you consider that candidates recruited for the Indian Civil Service by open competitive examination should undergo a period of probation before being admitted to the Service?—Certainly. It does not at all follow

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[continued.]

that because men have passed the competitive examination, they are capable of governing Indians. It seems to me essential that they should have a period of probation in India, that it may be discovered whether they have the right temperament for India, and some capacity for the government of men.

9609 (30). If so, how long, in your opinion, should this period be, and what course of study should be prescribed for the probationers?—Two years seems to me to be the minimum. My suggestion is not that a special course of study should be prescribed, but that the probationers should be put under a Magistrate or some other officer of the Indian Civil Service whose duty it was to train them; that as many powers should be given them, if possible, as are now given to Indian Civil Service men when they first come out, and that they should be guided and watched in the use of them by the official under whom they work; that his chief duty in regard to them should be to show them how to deal with and behave to the people with whom, and for whom, they have to work. The report which would be required from him would therefore be concerned chiefly with the way in which they deal with people, the effect of the climate and work on their temperament, and their capacity for bearing responsibility.

9610 (31). Do you consider that any differentiation is necessary between the course of study for probationers who are Natives of India and the course prescribed for other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend?—I consider that the same kind of probation is necessary for those who are Natives of India as for the others.

9611 (32). Do you consider that the probationers' course of instruction could best be spent in England or in India? Is your answer equally applicable to the case of Natives of India and of other natural-born subjects of His Majesty?—In India certainly, both in the case of Natives of India and of the others. For the main thing to be discovered is what capacity the probationers have for dealing with and governing the people of India.

9612 (33). Do you think it desirable to start, at some suitable place in India, a college for the training of probationers of the Indian Civil Service, and possibly of other Indian Services recruited in England?—I think it is certainly desirable, if the period of probation could be sufficiently long to enable probationers to have the two years of probation in their work, which I have suggested, as well as a time in the college.

9613 (34). Do you think it desirable that each Provincial Government should arrange for

the training of probationers by suitable courses of instruction for the whole or portions of the first two years of service at some suitable centre?—Yes, if they could also have two years of probation in their actual work. And especially if the courses of instruction were given by men who, from long experience of intercourse with different classes of Indians, know their ways of looking at things. The majority of the quite young officials I have known think that they know all that is necessary about Indian ways and habits of thought, when they first come out, because they have read a good deal about them and know much more than their friends in England.

9614 (35). Are you satisfied with the present arrangements for the training of junior officers of the Indian Civil Service after they have taken up their appointments in India? If not, what change should, in your opinion, be introduced?—So far as I have been able to discover, there is at present no system for training junior officers of the Indian Civil Service after they have taken up their appointments. This seems to me a very great source of weakness to the Indian Civil Service. It is no one's duty at present, so far as I can see, to show junior officers how to avoid mistakes, by which they unintentionally irritate Indians intensely, or to correct them when, as is sometimes the case, their manner is overbearing or conceited. The irritation caused by young officers lasts on. Hence, it frequently comes about that English officials who are working splendidly and doing all they can for the good of India are considered, by the educated Indians who have known them in their early days, to be their enemies rather than their friends.

9615 (36). Do you consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service? If so, what are the causes? Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages, and, if not, how could this best be remedied?—I consider that there is, speaking generally, and for Bengal only, a gradual deterioration in the knowledge of the common language of the people possessed by members of the Indian Civil Service. And it seems to me to be the inevitable result of the gradual increase of office work which is done in English, and the consequent decrease of work done among the ordinary people themselves in their own language. The *raiyats* come less and less every year in direct contact with English officials; their chief means of approach to them is through English-speaking Bahus and their offices.

THE REV. E. L. STRONG, called and examined.

9616. (Chairman.) You belong to the Oxford Mission?—Yes.

9617. Have you been occupying that position for many years?—Yes, 18 years.

9618. The whole course of your ministration has been in Bengal, has it not?—Yes, in Calcutta and Barisal.

9619. You have had wide experience in the country districts?—Yes, I have for the last twelve years been working in Barisal.

9620. So that you have been brought into close contact both with students and with the *raiyats* of the country?—Yes.

9621. You lay great stress upon the importance of a candidate, after he has passed his examination in England, having a thorough training in India prior to taking up his work?—Yes.

9622. You would suggest that the period of probation in India should last for two years?—Yes, if possible; at least two years.

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[continued.]

9623. Had you also in mind the importance of his taking a degree at home?—Yes, I think that it is most important that he should take his degree at the University, if possible.

9624. Have you thought what, in your judgment, would be the best age-limits for the examination?—No, I have not thought that out.

9625. What would you say, from your experience, would be the most appropriate age for a candidate to begin work in the service out here?—I should think about 24 or 25.

9626. And that would be subsequent to his two years of training in India?—Yes.

9627. Twenty-four or 25 would mean that he would come out about 22?—Yes, 22 or 23.

9628. So that he would have to pass his preliminary examination at an early age?—I think it would be better if it could be put off longer; if he could come out here a year or two later. I thought, however, that there were great difficulties in that respect.

9629. You consider the training in India to be almost as important as a good general education?—Yes. I do not think you can determine by an examination whether a man is capable of ruling out here or not; or whether his temperament is the right temperament for India.

9630. What kind of training would you give him?—I should like him to be put to his work as he is now, if possible, and that he should be put under some experienced man when he goes to his first station, who would watch him and guide him in his work, and see how he deals with people and how he stands the various difficulties out here, such as the climate and other things.

9631. That is the practice at present, is it not?—There is no probation out here, is there? As soon as he comes out he is a member of the Civil Service.

9632. In his first year he is placed under a Collector?—He is placed under a Collector; but it does not seem to be the Collector's business to train him in any way. It entirely depends upon who the Collector is. It is not his business to do it, as far as I can see.

9633. You would like to see something of a more practical nature?—I should like to see it one of the chief duties of the Collector under whom the men are placed, to train them the first two or three years.

9634. Do you think that the work of the Collector would allow of his giving to the candidate what you would consider to be the right amount of attention?—I think it is so important that his work ought to be arranged so that it should.

9635. Have cases occurred within your experience in which harm has been done owing to the absence of this training?—I have noticed that there is a very great difference if there happens to be a Collector who does make it his business to train people and put them in the way of things. I have noticed that there is a very great difference in the men who have been put under such a Collector. Instead of it being an accident as it is now, I should like it to be a part of the system.

9636. You think that with two years of training the candidate would be able to find

out what is required of him?—Yes, I think so. It would have to be at least two years.

9637. (*Lord Ronaldshay*.) I see you hold the opinion that military officers make satisfactory administrators. In fact, you are rather disposed to think that, under the present conditions, military men may be more sympathetic administrators than some of the junior members of the Civil Service, is that not so?—Yes; I think they have had more education in dealing with men.

9638. What experience have you had of military officers in the position of administrators out here?—I have had very little experience. I have only known about two or three; but I have known a good many Indian officers of Indian regiments who are trained in this kind of way when they first come out, and they do seem to understand—in fact they are made to understand—how to deal with the people they are working with, Indian officers and men.

9639. You have had no experience in this province of military men occupying Civil Service posts, have you?—No; I have only had a little experience with regard to that in Assam. I have had no experience in any other part.

9640. In Assam your experience was that these military men made good administrators and were sympathetic towards the people?—Yes.

9641. Would you advocate the intrusion of a portion of the military men into the Civil Service cadre in an advanced province like Bengal?—If other things were equal. I mean that I should only advocate it if a system could not be devised by which Indian Civil Service Civilians could get some kind of training in dealing with and in ruling men.

9642. With regard to the question of the training of Civilians, the present system is that a man, when he has passed his competitive examination, is supposed to have completed his general education; having done that, he is expected to go through a period of probation in order that he may undergo certain studies in special subjects which are necessary before he can come out and take up his work in India. Am I to understand from your answer to that question that you think the period of probation in England ought to be done away with, and that a period of training in India ought to be substituted for it?—No, I meant added to it.

9643. You do not wish to knock out the period of probation in England?—No.

9644. You wish, after a man has gone through his period of probation in England, that he should come out here and spend two years for the purpose of undergoing practical training?—Yes.

9645. Is not that precisely the system which is in force at the present time? In answering the Chairman you said that it depended very largely on the character and temperament of the district officers as to whether junior Civilians get satisfactory training or not?—That is my experience.

9646. That rather suggested to my mind that no particular rules or regulations were laid down for the training of junior Civilians?—I do not know whether there are any rules or regulations or not; but that seems to be the effect of the system: it is as though there were not any

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[continued.]

9647. I understand that the present rules for training junior Civilians are these:—

“Junior Civilians are sent to selected Collectors to be trained in the actual work of a district; they are put through the various departments and familiarized with the working of every branch of district administration. They have to report six defended cases tried in the court of a first class Magistrate, and six cases at the Sessions, and they must undergo a six weeks' training in the treasury. They have to spend also three or four months in a settlement camp. The system of training prepares them to hold charge of a subdivision; and subdivisional work is the most valuable part of their training for higher offices. Putting aside the question of the training of judicial officers, the present arrangements for training junior Civilians after their arrival in India appear to be suitable.”

That seems to me to fairly well cover the ground as far as training is concerned. Is there anything that you would like to add to that?—It does not train them as to how they are to deal with people and treat them properly. It does not tell them all the little necessary things one ought to know in India so as to avoid making bad mistakes among people and giving them wrong impressions. It does not seem to give them the training which men have in an Indian regiment.

9648. Can you suggest any remedy for the defects which you conceive are existing under the present system?—I should like the Magistrate, under whom the new men are put, to have it made part of his work in the same way as it would be the business of the Adjutant or the Colonel of a regiment to watch how the men do treat people, and how they stand the climate of India: whether they seem to prove themselves to be fit to rule people or not, quite apart from the fact as to whether they know the technical part of their work.

9649. Assuming that the district officer does that, and assuming in some cases that he was not satisfied with the recruits under his charge, what would be his remedy: would these recruits be weeded out of the service, or what would be done with them?—That is what I mean. If he gave an unsatisfactory report of them, and the authorities considered that that was sufficient, and that he was capable of judging, the recruits would be weeded out—the object of probation being to weed them out.

9650. Have you ever considered what the effect of that might be upon the recruitment of the service in England? If a candidate in England has gone through a long and expensive education, if he comes out successfully through his competitive examination, if subsequent to that he has passed through his period of probation in England and passed his final examination, and then has come out to India and spent two years in preliminary training in the service, and then may be told that he is not wanted, does not that rather destroy that man's career in life?—It is only adding two years to the risk attached to it. I consider that this is so important that it would be better to shorten the time of his probation in England rather than not have this probation at all out here, because it does not seem to me that any probation in England can test the man as to whether he is capable of ruling out in this country.

9651. I do not want to press that point; but you have considered that it might have an

unfortunate effect upon the recruitment for the service in England—I mean a system such as you have advocated?—It would make the probation harder.

9652. When you speak about the deterioration in the knowledge of vernacular languages on the part of Civilians, you are speaking especially with regard to the Presidency of Bengal, and you give as one of your reasons for thinking that the knowledge of the language is less on the part of Civilians than it used to be, the fact that they come very little into contact with the raiyat: do you think, in the case of Bengal, that that is probably largely due to the fact that a greater part of the land is permanently settled, and that is one of the reasons why they come into contact with the raiyats so very little?—No, I do not think that that is the reason at all.

9653. Will you tell me why you think that Civilians to-day do not come into contact with the raiyats in the districts?—Because even in the time I have been out in India, the office work has multiplied enormously. It is not because they do not want to come into contact with them, but because they have not the time. They have to spend so much more time in the office now than they did even when I first came out. We had Magistrates then who were very much in contact with the people, and it seems to me that the ones that we have had since have very much regretted that they cannot come more into contact with the raiyats. They have found it impossible.

9654. It would be difficult to find a remedy for that?—Yes.

9655. (*Sir Theodore Morison.*) How do you ensure that men who come out for Mission work secure a knowledge of the language?—Most people have an examination to pass.

9656. You have an examination?—We do not make it a necessity, but most Missions do.

9657. What is the standard of those examinations? How does it compare with the departmental examinations?—It is very much the same standard.

9658. Is it a fact in practice that men who are engaged in Mission work know the language much better?—I do not know that they know the language much better. It requires a good deal of practice. You have to be constantly talking the language with the raiyats, otherwise you get very rusty. I think a great many Civilians do get very rusty so far as speaking the language with the raiyats is concerned, because they are not able to spend very much time with them. They come chiefly into contact with the raiyats now through English-speaking people.

9659. Is the deficiency in knowledge of the language chiefly a deficiency in knowledge of the language spoken by the raiyats, or a deficiency of the knowledge of the language spoken by the educated people?—In Bengal nearly all the educated people speak English. A Magistrate would nearly always do his work in English. I have been referring to the language which the raiyats understand.

9660. Which language is it necessary for the Missionary to know? Does he speak the educated language, or the language of the villagers?—He knows both.

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9661. How can you secure that he knows the language of the educated people, because according to your statement he does not get a great deal of practice, and he must keep it up?—I suppose he would keep it up chiefly by reading.

9662. I understand that there is a large Bengali literature. To what extent is that generally known? I do not know anything about it myself, but I understand there is a very considerable and growing Bengali literature, is there not?—Yes.

9663. Would your standard of the knowledge of the vernacular include a knowledge of the literature?—Yes, I thought the Civilians had that knowledge.

9664. They read Bengali novels?—I do not know that they do after they come out, because I do not think they have the time.

9665. Is that knowledge common among Missionaries?—Yes, I think it is fairly common.

9666. Would you expect a Missionary generally to be more or less *au courant* with contemporary literature?—Yes, I would.

9667. (*Mr. Chaubal.*) With reference to your answer to question (12), do you think it is necessary that a person should be both "born and domiciled within the dominions of His Majesty"? I wish to ask you whether you think that the definition which requires a person under the Act of 1870 to be both "born and domiciled within the dominions of His Majesty in India" is necessary; or whether "born or domiciled" will do?—I think if the word "Native" is used, it had better include everything which is included in the present definition.

9668. The present definition requires that a person should be both "born and domiciled." Supposing a person accepts India as his domicile, and he is not born there, would you exclude him from the benefits of that Act?—No, I do not mean that at all.

9669. Question (31) says: "Do you consider that any differentiation is necessary between the course of study for probationers who are Natives of India and the course prescribed for other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend." To that you reply, "I consider that the same type of probation is necessary for those who are Natives of India as for the others. And I apprehend that if the probation is strict, the number of Indians admitted to the Civil Service will not be so great as it is now." Is it your opinion that the number of Indians who are now in the Civil Service is a great number?—I do not think it is a large number. I think it is as great as it ought to be at present.

9670. But I suppose you wish that it should be less?—I do not mean that.

9671. You say here, "If the probation is strict, the number of Indians admitted to the Civil Service will not be so great as it is now"?—I think it probably would weed out a good many of the men who at present apply; but I do not wish less Indians to be in the Civil Service if they are fit for it.

9672. Your answer rather implies the other way. You, of course, wish the probation to be strict?—Yes.

9673. And if it is strict, you do not know what the result will be upon the English Civilian. but you say, "If the probation is strict, the number of Indians admitted to the Civil Service will not be so great as it is now"?—At present I do not think it would be.

9674. That means that the probation should have been strict, and the number of Indians should have been less?—Or the standard of the Indian should be raised.

9675. You know the ordinary duties of a Collector of a district, do you not?—Yes, more or less.

9676. And you know the ordinary duties of the judicial head of a district, called the District and Sessions Judge?—Yes.

9677. With reference to the ordinary duties of the Judge and Collector, I wish you to tell me some concrete instances where the necessity for ruling as you put it, comes in. You want fitness to rule. You do not approve of competitive examination because it does not necessarily ensure the ability to rule people. I want you to give me a more definite idea of what is passing in your mind when you say that it is necessary for a Collector, in the satisfactory discharge of his duties, to know how to rule them. What is he to do in the ordinary discharge of his duties in order to be able to rule them? What is he to do when he is going to rule them?—I do not mean by "rule" to domineer over them, but to know how to treat them, and how to look at things as they look at them. He is over them, and they are under his rule.

9678. And the District Judge?—The District Judge's business is not so much to rule people. He has simply to try the cases that come before him.

9679. As far as the District Judges go, the capacity to rule men is not so necessary as it is in the Executive officer?—No, it is not.

9680. According to what you now say, you consider it to be an essential part of the capacity to rule, that he should be able to know what the people are thinking and feeling, and that he should be able to treat them with greater sympathy?—That he should know more how they are thinking and what they are thinking, their ways of thought.

9681. Do you think that an Indian is not capable of doing that?—I think an Indian is eminently capable of doing that.

9682. (*Mr. Gokhale.*) You said in reply to a question put you by Mr. Chaubal that you thought the number of Indians in the Indian Civil Service was as great as it ought to be. Do you know what number has got into the Indian Civil Service during the last five years?—No, I do not know.

9683. I find that out of a total of 272 successful candidates 12 were Indians, which means only 4½ per cent. Do you consider that that number is as great as it ought to be?—I did not mean that at all. I only mean that they ought to come up to a certain standard.

9684. You do not mean to suggest that Indians know even less than Europeans how to treat the people under their charge, because you say here, "If the probation is strict the number of Indians admitted to the Civil Service will not be so great as it is now." Do you mean to

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suggest that Indians know even less than English youths how to treat their own people?—No; but I do not think they are so capable at present of bearing responsibility.

9685. As far as I understand your proposal, it is this. After the men have passed the competitive examination, and after they have completed a period of probation in England, you would place them under some Magistrate in India for a further probation. You say here that a Magistrate's chief duty with regard to them should be to shew them how to deal with, how to behave to the people with whom they have to work, and you think that during this period of probation a good many Indians who pass the Civil Service examination will be weeded out; which means that a good many Indians would not know how to behave towards their own people?—That is not the conclusion which I meant to be adduced from that at all.

9686. How would they be weeded out?—It would be found that they were not capable of bearing responsibility as yet.

9687. Do you mean to say that Indians who get into the Civil Service are found not to be capable of bearing responsibility?—I do not mean to say that. That is where they would have to be tried.

9688. Why do you say that a good many of them would be weeded out?—On that account.

9689. That means that you think a good many of them are not of the kind to bear responsibility?—I do not think they are so good at it as Englishmen.

9690. (*Mr. Sly.*) In your evidence regarding the military officers, you have expressed certain opinions, and just now you said that was partly based upon your experience of military civilians in Assam. Have you ever been stationed in Assam?—I have not been stationed there. But we have a Rest-house up there, and I go up nearly every year, and I get to know a good deal about what goes on.

9691. Do these military officers stationed in Assam work amongst the same sort of people, and do more or less the same sort of work under the same sort of conditions as the Civilian would have in the lower provinces of Bengal?—The work among the raiyats would be very much the same.

9692. Is it not the case that military officers are employed in Assam largely in the hill districts in connection with work amongst the hill tribes on the frontier, and in more backward parts than in the more highly cultivated and more advanced parts of Bengal or Assam?—Yes; their work is more in the hill parts, but it is also in the plains.

9693. With reference to your remarks as to the training of military officers and Civilians, have you taken into consideration, in your estimate of the value of the military training, that the military officer has such training under entirely different conditions from those possible for a Civilian; he is trained with a body of men, soldiers, who are under strict discipline, and who also are drawn from a very different class from those of a highly educated community? What I should like to know is whether you think that such training under

those special conditions could be hoped to succeed in the case of a Civilian who has to carry on his duties amongst a different class of people, brought closely into contact with the educated classes, and under altogether different conditions from those in which the military civilian has to treat the rank and file?—The parallel I should like to see is that Civilians should have as much dealings with the people for whom and with whom they have to work, as men in a regiment have in order to deal with the people for whom and with whom they have to work. I do not mean to say that the conditions are at all similar, but that there is the same necessity for training for dealing with men in India.

9694. The system of training which you recommend under the Collector, with special attention paid to particular matters upon which you lay stress, is, as a matter of fact, the present system which is enforced or is laid down by the Government of Bengal. I suppose your opinion would be that, if that were the system, the method of carrying it out is nothing like thorough enough?—Yes; if it is the system.

9695. The present work is not so good as you would like to see?—In my experience it depends upon the Magistrate whether a man under him is trained or not.

9696. The Government orders direct that junior Civilians shall only be placed under specially selected Collectors whom they consider specially qualified to undertake these duties. I gather from your opinion, that, although it may be the case, the results are not so good as they ought to be in some cases?—It does not seem to me to depend upon the system whether the results are good, but upon the men.

9697. The orders do lay stress upon the men, but the result is not good enough; is that your opinion?—From watching the results, I should not have thought that there was any system.

9698. You are brought into close relationship with student life; you have charge of a hostel of Indian students, I believe?—Not now.

9699. You have had?—Yes.

9700. You are a member of the governing body of the college, are you not?—Yes.

9701. It would be a very interesting thing, I think, if you could tell us from your intimate knowledge of student life what are the ambitions with regard to the future career of the students of the present day; what careers in life do they chiefly desire to follow?—They desire to get posts in Government offices; or they go in for law. They have no other ambition, as far as I know.

9702. Can you tell us whether the attractions of the Provincial Civil Service at the present time are or are not sufficient to secure the best students who desire to enter that service? Does the legal profession attract the best students with whom you are acquainted, or does Government service attract the best students with whom you are acquainted?—They seem to me to look out chiefly for posts that will bring them the most rupees, and very little else.

9703. That is the point I want to get: what posts do they consider will bring them the most rupees? As a matter of fact, do the best students aim at Government service, or aim at

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the legal profession?—I suppose most students aim at Government service.

9704. You consider that the present attractions of Government service in Bengal are sufficiently good to induce the best students of the country to take it up?—Sufficiently good as regards money prospects?

9705. As regards money prospects, and the whole conditions of service, are they sufficiently good to induce the best students with whom you come into contact to enter that service?—Yes, they are the best they know of.

9706. (Mr. Macdonald.) As regards your evidence, you want the man who comes out here after having passed his open examination not to be regarded as a member of the Civil Service until he has been tested?—Yes.

9707. He has no lien upon the service if he is discharged?—That is what I mean.

9708. He goes to a Magistrate, I understand, to be tested in this way. Would you select the Magistrate to whom he has to go?—I should like the Magistrate under whom the junior men are trained to be selected very carefully.

9709. Will not that put a specially heavy strain upon certain Magistrates?—Yes. I think it would.

9710. Would it not be rather a serious reflection upon Magistrates who did not get the training of the youths?—No; I did not mean to make any reflection; but it seemed to me that there was no system under which they felt they were obliged to train the men under them.

9711. I want to see exactly what you have in your mind. If we were to recommend such a scheme as this, would it not, as a matter of fact, cast a somewhat severe reflection upon the men who are not entrusted with the training of the would-be Civilian?—In my experience in Bengal there are certain districts which are considered the best for the training of junior Civilians.

9712. Is that owing to the districts themselves, or to the Magistrates who are there?—It is on account of the conditions of the districts. I should like the Magistrates who are put into those districts to be selected for this purpose.

9713. And the Magistrate would settle whether a man is fit to pass into the service or not? Is it to be done on the *ipse dixit* of this Magistrate, or is there to be an examination?—I have not thought about that.

9714. It is an essential point, however, in your scheme, is it not?—It is an essential part of my scheme that there should be probation, and some system by which the man could be tested, and his work judged on.

9715. You are not prepared to say whether the Magistrate himself should say whether the man is going to pass in or not?—I suppose his word would have very great weight indeed.

9716. Do you think in judging the relative qualities of Englishmen and Indians there would be any prejudice in the Magistrate's mind?—No, I do not think so.

9717. Would you have any objection if that Magistrate were an Indian?—Not if he were qualified in other respects.

9718. You would allow the Indian to value the relative merits of the Englishman on the one hand and the Indian on the other?—I have not thought about that matter.

9719. You say in answer to question (36) that there is deterioration in the knowledge and in the use of vernaculars, and that it is owing to a gradual increase of office work done in English and so on. Would you tell the Commission whether you find that, in spite of these impediments, like the increase in office work done in English, there is considerable difference between Magistrate and Magistrate now? My point is this. I would like to get your opinion about it. Two Magistrates working under precisely the same difficulties show very different qualities so far as the qualifications contemplated in question (36) are concerned?—Yes.

9720. So that when all allowance is made for the increasing difficulties of our men keeping in touch with the raiyats and with the common people, you do find that a good man still remains a good man, and an indifferent man remains an indifferent man?—Yes; but I think all the Magistrates desire to be in much more contact with the raiyats than they find it possible to be.

9721. That may be so, but there is a difference between Magistrate and Magistrate?—Yes, of course.

9722. And a very considerable difference between Magistrate and Magistrate?—I should not say a very considerable difference in that respect. I think all Magistrates are desirous of being in contact with the raiyats, as far as I have seen.

9723. (Mr. Madge.) Although you have not explicitly said so, one of the fair implications of your answers is that you do not approve of the present competitive system as a test for the Civilian candidate?—That is so.

9724. But from your later remarks I understand that all the improvements you desire to bring about relate to a probationary period after they have passed the examination?—In India.

9725. In one place you say you think they ought to come out later to this country, which I gather to mean that you want their character to be developed as much as possible at home; while in another place you attach great importance to the probationary period in India. Apart from the mere contradiction between those two statements, you are not satisfied with the Civilian service, but you do not suggest any improvement in the test of character before a Civilian is appointed: you do not suggest any better test than the mere competitive examination as regards the character of the candidate before he comes out?—I have not thought at all about what is to happen before he comes out. My whole point is what is to happen after he comes out.

9726. Do you not think that much of what happens after he comes out depends a good deal on what happens before he comes out?—Yes. That is why I said I thought that a University degree was of very great importance.

9727. Do you think that the competitive examination fails to test a great many of the qualities of an English Civilian that are of use to him in India, and would not test the qualities of any other race brought up under the heredity and environment of the Englishman? Do you not think that the competitive examination fails to test a great many qualities of the

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Englishman which we assume because he is an Englishman : people of all races are moulded by their heredity and their environment, and so is the Englishman and Indian and everybody else?—Yes.

9728. But, the competitive examination, does it or does it not, in the case of the Englishman, assume and leave out altogether a great many things that are not tested by the competitive examination?—Yes, I think it does leave out a great many things.

9729. You have no suggestion as an educationist to make as regards the test of character before appointment to the Civil Service?—You mean in England?

9730. Before appointment: before coming out?—I should like the chief test of character to be out here before appointment. I think the character would be best tested by seeing how the man deals with the people in India, and how he bears the various difficulties of the climate, and other things.

9731. You do not think, as has already been asked, that that would affect the class of candidates who offered for examination if they knew they would be thrown out after accepting a career?—I should have thought it would have improved the class of candidates.

9732. In answer to question (22) you have said that "Military officers as a rule have had better training for dealing with and behaving to the people with whom and for whom they work." Your attention has already been called to the fact that for the most part they deal with an entirely different set of men, sepoys and others, from those that are found elsewhere?—Yes.

9733. Have you any further remarks to make as to what this better training actually consists of in personal contact?—I mean that the whole conditions out here are quite different from anything we have in England, and the people we have to deal with are very different indeed. Their ways of thought are very different from our ways of thought, and you cannot say whether a man is capable of being a Civilian unless he has been tested out here as to whether he can deal rightly with the people who are under him or with whom he works.

9734. In your answer to question (30), you desire that they should be taught "how to deal with and to behave to the people with whom and for whom they have to work." Have instances of what you considered to be wrong behaviour come under your personal observation?—They make a great many mistakes which appear to Indians to be wrong behaviour and give a very wrong impression. I do not mean that they mean to do so; but there are a great many things that one has to learn out here as to how to behave. Manners are important everywhere, but they are of great importance in India—of special importance.

9735. But, quite apart from how a matter appeals to one class of mind or to another as to whether it may be right or wrong, do you mean to say that you have detected anything that you consider wrong?—Morally wrong? No, I do not mean that at all.

9736. Later on, in answer to question (35) you refer to the irritation caused by young officers,

and you say that they are "considered by the educated Indians who have known them in their early days, to be their enemies rather than their friends." Is it or is it not possible that an educated Indian may regard the conduct of a Civilian from an entirely different standpoint from that in which an educated Englishman would regard it?—Yes, it is possible.

9737. From your own experience what would you say?—I should say that the Indian people mistake us very much indeed. They might often consider that a man was not working for their good or for the good of India because of certain little acts of his external behaviour, or even in his way of addressing people.

9738. The point of my question was to ascertain from you what you thought of the possible different standards from which two classes of people regard the conduct of a man. What I mean is this. A raiyat may have one standard of conduct and not think that he has been ill-treated; whereas an educated Indian might have another standard and think that he was not well treated?—I have referred to well-educated people. I have never come across a case of raiyats being ill-treated by a Civilian. They always think him to be their friend and protector.

9739. Although it is quite right for Government to consider the demands of the educated class, do you, or do you not, think that generally their policy should be based upon the interest and the feelings of the vast masses in preference to those of any limited class?—I think it is most important that they should be friendly with the educated classes. They are the people who express everything: the raiyats, unfortunately, cannot.

9740. I quite agree with you that the educated classes ought to be represented. The point of my question is this. Is the Government of this country to base its policy with reference to the real interests of the great masses, or the demands which may or may not be in the real interests of the educated classes?—I think it ought to consider the great masses chiefly; but a man does not rule the great masses less well because he has been taught to behave rightly to the educated people.

9741. As far as you are aware, do the feelings and wishes of the educated classes and those of the masses generally run parallel to one another in the same direction; the educated classes and the masses generally?—I do not think they run parallel at all.

9742. (Mr. Abdur Rahim.) What experience have you had of Indian members of the Civil Service?—I have not had very much experience.

9743. Have you known the work of Indian District Magistrates at all?—Very little.

9744. When you said that Indian members of the Civil Service required strict probation to be enforced, so that they might be weeded out to a larger extent than Englishmen, you are simply saying that upon hypothetical grounds?—No, I have not actually known many Indian Magistrates. I have known some of course.

9745. I am asking you about the Indian members of the Indian Civil Service. You were not speaking from experience when you said that you thought that they were not so fit to

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bear responsibility as other members of the Civil Service?—I am not speaking from very much experience.

9746. You said, as regards the careers open to Indian students, that they are generally ambitious to enter the public service: will you kindly tell me what, in fact, are the careers which are open to Indian students or to the educated Indian classes?—There are very few careers open to them, unfortunately.

9747. Tell me what are the chief careers open to them?—Clerkships in Government offices and all kinds of merchants' offices. The vast majority of the students go in for clerkships.

9748. Anything else: the profession of law?—Yes.

9749. Anything else: school and arts?—Yes.

9750. These careers are very limited, are they not, compared with the careers which the English student would have in his own country?—Yes.

9751. I suppose you do not mean any blame to be attached to Indian students in having a desire to enter Government service in their own country?—No; I do not mean to blame them.

9752. It has been suggested to us elsewhere that it might be advisable to place junior Indian Civilians under Indian District Magistrates. I take it from what you have said before that such a step might help to carry out your idea of infusing more sympathy into the Indian Civil Service?—I have never contemplated that.

9753. It has been suggested to us: would not that carry out your idea?—It might in some respects. I did not mean to suggest that Civilians were not in sympathy, not at all. I do not think that is the case.

9754. I think you said that the *raiyats* were not ill-treated by the Civilian, but that the treatment of them was to some extent defective?—Defective, chiefly from ignorance of what easily might be taught him with regard to the way to behave.

9755. If the Indian District Magistrate is of the right sort, he might instruct Junior Civilians under him in those points?—Yes, he might in those points.

9756. I should like to know what you meant when you said that Indians might be "weeded out"—eliminated—on the ground that some of them might not be found fit to bear responsibility. Perhaps you can tell me in what particulars?—My experience of them is not only in the service, but of Indian people generally with whom I have come in contact, that they are not at present fit to bear very much responsibility, and that if any crisis happened in a district you might not be able to depend upon them.

9757. You cannot give us any more particulars than that?—No. That is my general experience of the Indians with whom I have had to do.

9758. You lay a great deal of stress upon the necessity of dealing properly with the *raiyats*, that members of the Civil Service ought to be able to understand the *raiyats* better. I want to know whether in using the term "*raiyats*" you mean those who are not of the educated classes: is that what you mean?—Yes.

9759. You do not want to confine the term to actual cultivators of the soil?—No; I meant the uneducated classes in general.

9760. I suppose you attach importance to members of the Indian Civil Service dealing properly with the educated classes with whom they come into contact?—Yes, I think they do deal properly with the *raiyats*.

9761. No. I mean with the educated classes?—That is what I was referring to chiefly.

9762. Do you say that their relations with the educated classes are all right, or not?—I think, as a rule, they are when they have become a little senior; but they are apt to make a great many mistakes at first.

9763. Even in dealing with the educated classes?—Chiefly in dealing with the educated classes.

9764. (*Sir Valentine Chirol.*) You have expressed the opinion that Indian officials, and Indians generally, are not as a rule at present equal to taking great responsibility. Are they not exposed to forms of pressure, to which the English official is not exposed, owing to the social conditions of this country, and which would naturally make them more afraid to undertake responsibility than the English official would be?—Yes, I think that might be the case. Most of the senior officials whom I have known have tried to put Indians in places of responsibility. I think they do their best to do so, but they have found that they are not capable of bearing it as a rule, as yet.

9765. Quite so. But what I wanted to ask your opinion about was whether there were not, in the social conditions existing in this country, special reasons why it is more difficult for an Indian official to take the consequences of assuming responsibility than it is for the English official who is not exposed to the same forms of pressure and the same temptations?—I do not think I understand what conditions of pressure you mean.

9766. The Englishman, for instance, has no vested interests in the country, and is not connected with anybody who has vested interests in the country. He is not connected with any particular class of the community or any particular caste, either with the landholders or the commercial people. Is that the case with regard to Indian officials?—No, I think that is part of the reason—because so much pressure is put upon them from without—why they would not stand a crisis so well.

9767. I only wanted to get your reasons for it. You do not consider that competitive examination in the case of Englishmen tests the moral qualities; the various qualities other than intellectual that are required to fulfil their duties as administrators in this country?—I should not perhaps say "moral qualities," but our own experience is that men who are quite capable of doing very good work in England, and who have no moral disabilities, would not necessarily be capable of doing it out here. Climate and the various difficulties of the country have so many effects upon one.

9768. Do you think that competitive examinations are better fitted to test the qualities of Indians for the purpose of administration?—Not better fitted.

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9769. That it would be still more difficult to test the Indian than the Englishman?—I think it is necessary to test both in their work, and until you have done that I do not think you have tested them.

9770. You wish both the Natives of India who pass the Civil Service examination, and the Englishmen who have passed the Civil Service examination, should undergo a period of probation before they actually become members of the Civil Service?—Yes.

9771. You have explained to us what your purpose is with regard to English probationers, but could you explain to me a little more clearly what your purpose is with regard to probationers who are natives of this country: to what special purpose you would direct that term of probation in their case?—To test them as to how they dealt with the people, the uneducated classes, and as to how far they could bear responsibility as far as that could be done in a period of probation.

9772. Do you think that these qualities would be more frequently displayed by Indians who have been educated entirely in this country, or by Indians who have been educated partially in England?—I do not think I could form any opinion about that. I have not thought enough about it.

9773. You have not considered the relative effects of western education upon Indians educated only in this country and upon Indians educated partially in England?—Yes, I have considered the effects; but I think it is very difficult to come to any general conclusion.

9774. Your consideration has not led you to form any definite opinion as to whether education in England confers any distinct benefit upon young Indians which can not be conferred upon young Indians by western education in India itself?—I do not think one can say. In many cases I have known it has benefited them very much: in other cases it seems to have done exactly the opposite.

9775. In fact you cannot express any opinion to guide us one way or the other in that respect?—No, I do not think I can.

9776. (*Sir Murray Hammick.*) As regards that last question put to you by Sir Valentine Chirol, have you had experience of Indians going home to England for a training of one or two years at the outside, and not more? What is your opinion generally as to the effect of that training? Has it been sufficient to at all saturate them with any real western notions or western features of character; I am speaking of a short stay of one or two years?—I do not think it has, as a rule, but I do not speak from very much experience.

9777. It has been suggested that if simultaneous examination took place in India, quite a sufficient impress of western character and notions would be given to these students by sending them home for either one or two years: you do not think that would be the case?—I do not think so.

9778. You have not given us any opinion as to simultaneous examination. I do not wish to ask you about that point, but I should like to ask you, if simultaneous examinations were instituted in India, and the curriculum of the examinations were somewhat altered in the direction of giving Indian subjects higher value

than is now given, whether you think that a very large number of students would go up for those examinations: do you think the examination would be so attractive as to draw a very large number of students to the competition in this country in the next few years?—I do not think I could form an opinion.

9779. Some witnesses have said that the examination would be of such a stiff character that very few students would go up: others, on the other hand, have told us that a great number of students would at once appear. Have you formed any opinion about that?—No, I have not.

9780. I suppose you are fairly well acquainted with the cost of the University education in Lower Bengal?—Yes.

9781. I should like to hear from you if you can give us an outline of what you consider would be about the cost of University education, beginning with the Matriolation and going up to the M.A.: it is a period of 5 years, I suppose?—Yes.

9782. I mean what are the fees at the University to begin with for each year?—There are a good many people here who know about that better than I do. I cannot remember.

9783. If you do not know the fees, perhaps you can tell us what you think would be the cost of life at the hostel, on the part of the student, in Calcutta: what does living in a hostel cost per annum for a student?—A student can do everything for Rs. 20 a month.

9784. That is including his fees at the University?—Yes; or Rs. 25 at the outside.

9785. That includes fees, and board and lodging in the hostel?—Yes.

9786. You say it would be Rs. 25 a month?—Yes, I think so, unless prices have gone up very much since I was in Calcutta. That is about what the cost used to be.

9787. With that, education, to go from Matriolation up to M.A., of the Calcutta University, takes about five years?—Yes.

9788. As regards the suggestions made in your paper, you understand that your Indian probationer would have passed in England, and therefore he would have had one year's training under the present conditions in England?—Yes.

9789. Has it not occurred to you that the relative standards which would guide an officer in this country in coming to a conclusion as to whether a probationer should continue his course as an I.C.S. officer, would naturally become very different as regards an Indian and as regards the English probationer, because the punishment which would happen to an English probationer who was turned out after two years' probation in this country would obviously be a much more severe punishment than the punishment which would fall upon an Indian if he was turned out in his own country? Do you not think that it would really be almost impossible to work?—I think that the matter is so important that it ought to be tried. There may be hundreds of difficulties I have never considered.

9790. (*Mr. Bompas.*) Is it a fact that the Bengali spoken by the cultivating classes in the different parts of Bengal varies considerably?—Yes.

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9791. And that the officer who has acquired some fluency in the Bengali spoken in Western Bengal would find himself very much at sea when talking to a Muhammadan in Bakarganj?—Yes, he would, at first.

9792. Therefore, he would have to make some mental effort to master that language when coming new to the district?—And he would have to be in contact with the people a great deal.

9793. It makes intercourse more difficult?—Yes.

9794. The difficulty might, to some extent, be avoided by endeavouring to keep officers to the different parts of the country where there are the forms of language which they have mastered?—Yes.

9795 (*Mr. Mukherji*.) You have said that Indian people often mistake the motives of Englishmen by the manner in which Englishmen behave towards them. Would you explain that more fully, or give a concrete case?—I would not like to do that.

9796. How do you make out that this sort of thing happens? Has it ever come within your personal experience?—Yes, often.

9797. Is it on account of the Englishman being misunderstood owing to his lack of knowledge of the language; or what is it, really?—It is very difficult to put into words what it really is. The Englishman, *e.g.*, very often does not know how to address the people.

9798. That comes from a want of knowing the language?—Not a want of knowledge of the language, but a want of being told by somebody how an Indian likes to be addressed.

9799. Do you not think that the rules of courtesy and good breeding are almost the same

in all countries?—The expression of them is very different indeed.

9800. But if an Englishman only behaved himself to an Indian as he would behave towards a man in his own country, an Indian would be quite pleased, would he not?—I do not think that that follows. A good many outward expressions of manner would have to be changed.

9801. (*Mr. Sen.*) Do you know anything about the Provincial Judicial and Executive Services?—Very little. I have not studied the matter at all.

9802. Do you understand what is meant by the expression "Munsif"?—Yes.

9803. Did you understand before you came out to this country what the expression "Munsif" meant?—I should not have known when I first came out to this country.

9804. Is it a fact that the expression "Munsif" is not generally understood by European gentlemen in the sense that it is meant to be an Indian civil Judge?—I think it is generally understood by people who have been out any length of time.

9805. Do you not think that the expression "Munsif" is out of date and should be substituted by the expression, for instance, "Assistant Judge", so that people may understand at once what the expression means?—I think anybody who has had anything to do with the service would know at once what was meant.

9806. But anyone who has not been in the service would not understand it at once?—No.

9807. I consider the expression to be out of date now because it is a relic of ancient times.

(The witness withdrew.)

S. P. SINHA, Esq., Barrister-at-Law.

Written answers relating to the Indian Civil Service.

9808 (1). What is your experience of the working of the present system of recruitment by open competitive examination in England for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—(a) My experience is that it works very well. (b) I do.

9809 (2). In what respects, if any, do you find the present system faulty in detail, and what alterations would you suggest?—*Except as herein-after stated*, I have no fault to find with the present system and no alterations to suggest.

9810 (3). Is the system equally suitable for the admission of "Natives of India" and of other natural-born subjects of His Majesty? If not, what alteration do you recommend?—As a system of selection, I think it equally suitable for all natural-born subjects of His Majesty, including "Natives of India," but "Natives of India" are at a very serious disadvantage inasmuch as the examination is held in England.

9811 (4). Do you consider that the combination of the open competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Service is or is not to the advantage of Indian interests? Please give your reasons?—I think it is to the advantage of Indian interests, inasmuch as it leaves it open to candidates to choose which service he would prefer to

the last, and thus increases the chances of India getting the best men available.

9812 (5). If you do not consider the present system of recruitment by an open competitive examination to be satisfactory in principle, please state what alternative you would propose.—Please see my answer to question (2).

9813 (6). In particular, what would be your opinion regarding a system of simultaneous examinations in India and in England, open in both cases to all natural-born subjects of His Majesty?—I think that under present conditions it is not practicable to hold such simultaneous examinations in India and in England, if by that is meant that the men who head the combined lists of candidates must be selected, irrespective of any proportion between English and Indian candidates, *e.g.*, if 50 men have to be selected out of 200 candidates, appearing partly in India and partly in England, and the first 50 in the list are all Indians (a result which is possible, though extremely improbable), I do not think it possible to give all the appointments for the year to these 50 Indians.

9814 (7). What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service cadre by Natives of India, recruited by means of a separate examination in India, or by means of separate examinations in each province or group of

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provinces in India? If you favour such a scheme, what proportion do you recommend?—My opinion is that a fixed proportion of the vacancies in the Indian Civil Service cadre should be filled by “Natives of India,” recruited primarily as the result of the examination held in London and, if necessary, supplemented by the result of the same examination (if possible, and if not possible then a separate examination of a similar nature) held in India. I would recommend that such proportion should be one-third of the total number of vacancies. An illustration will best explain my idea. Suppose there are 60 vacancies. Twenty should be reserved for Natives of India. If the list of successful candidates at the examination held in London includes 20 Natives of India, there will be no vacancy to fill up as the result of the examination in India. But if it includes, say, only 5 Natives of India, there will be 15 vacancies to be filled up by the result of the examination in India. If there are none successful in England, the whole 20 will be filled up from candidates in India. In the case of candidates appearing in India, it should be laid down that there should be a *minimum* number of marks necessary to be obtained. Though subject to much legitimate criticism, the scheme proposed above seems to me to be likely to satisfy legitimate Indian aspirations; the details I have not been able to work out in the short time at my disposal.

9815 (8). If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which “Natives of India” would be selected in India for admission to the Indian Civil Service by means of (a) nomination, (b) combined nomination and examination, or (c) any other method? If so, describe fully what system you would recommend. In particular do you consider it desirable that all classes and communities should be represented in the appointments so made? If so, how would you give effect to this principle?—I have already expressed my approval of simultaneous examinations in the sense above described. But in any case I think it is undesirable to introduce the principle of representation in the matter of appointments to the Indian Civil Service.

9816 (9). If you are in favour of a system for the part recruitment of the Indian Civil Service by “Natives of India” in India, do you consider that “Natives of India” should still be eligible for appointment in England?—Yes. Please see my answer to question (7).

9817 (10). Would you regard any system of selection in India which you may recommend for young men who are “Natives of India” as being in lieu of, or as supplementary to, the present system of promoting to listed posts officers of the Provincial Civil Service? If the former, what alteration, if any, would you recommend in the conditions governing the Provincial Civil Service?—If the proportion I recommend in my answer to question (7) be accepted, I would not ask that the present system of promoting to listed posts officers of the Provincial Civil Service should be retained. But if it is rejected, or a smaller proportion accepted, I would recommend the present system to be retained.

9818 (11). Do you recommend any separate method of recruitment for the Judicial branch

of the Indian Civil Service? If so, please describe the system which you would propose?—I am not prepared to recommend the *immediate* adoption of a separate method of recruitment for the Judicial branch of the Indian Civil Service. But I am of opinion that a beginning should be made of appointing Barristers and Vakils of High Courts of not less than five years’ standing to some of the District Judgeships, care being taken to select men who have already acquired some distinction at the Bar.

9819 (12). Are you satisfied with the present statutory definition of the term “Natives of India” in section 6 of the Government of India Act, 1870 (33 Vict., c. 3), as including “any person born and domiciled within the Dominions of His Majesty in India, of parents habitually resident in India, and not established there for temporary purposes only,” irrespective of whether such persons are of unmixed Indian descent, or of mixed European and Indian descent, or of unmixed European descent? If not, state fully any proposals that you wish to make in regard to this matter?—If the definition does not include subjects of Native States [and it apparently does not (see Ilbert’s Government of India, page 235)] it should be so amended as to include them. In other respects, I consider the definition satisfactory.

9820 (13). If the system of recruitment by open competitive examination in England is retained, state the age-limits that you recommend for candidates at such examination, giving your reasons?—The present age-limits (22 to 24) seem suitable for both English and Indian candidates. This renders it possible for both classes of candidates to obtain University degrees before appearing for the examination. Those who do not succeed have still other professions which they are not too old to take up. It seems to me that persons occupying the responsible position of an Indian Civilian should not be younger than 24 or 25.

9821 (14). What in your opinion is the most suitable age at which junior civilians recruited in England should commence their official duties in India?—24 or 25.

9822 (15). What age-limits for the open competitive examination in England would best suit candidates who are “Natives of India” and for what reasons? Do you recommend any differentiation between the age-limits for “Natives of India” and for other natural-born subjects of His Majesty?—The same as for English candidates. No.

9823 (16). What alterations, if any, do you recommend in the authorized syllabus of subjects and marks prescribed for the open competitive examination?—I think the following subjects and marks should be prescribed in addition to those already existing:—(i) Indian History (Hindu and Muhammadan period) 500; (ii) Indian History (British period) 500; (iii) Indian Law (Hindu and Muhammadan) 500. The marks for Sanskrit and Arabic should also be increased from 500 to 800 each.

9824 (17). Is any differentiation in the subjects for the open competitive examination in England desirable between candidates who are Natives of India and other candidates?—No.

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9825 (18). Do you consider it necessary that certain posts should be reserved by statute for officers recruited to the Indian Civil Service, and, if so, what posts and for what reasons?—Yes, as at present, subject to the recommendation made in my answer to question (11).

9826 (19). Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the Civil Administration? If so, to what proportion of the posts included in the Indian Civil Service cadre do you consider that Natives of India might under present conditions properly be admitted?—Yes. The proportion for Natives of India should, in my opinion, be one-third, generally speaking.

9827 (20). Do you accept as generally satisfactory in principle the present system under which Natives of India are recruited for posts in the Indian Civil Service cadre partly through the medium of an open competitive examination in England, and partly by special arrangement in India?—Yes; the competitive test being applied in India, as far as it is practicable.

9828 (21). Do you consider that the old system of appointment of "Statutory Civilians" under the Statute of 1870 should be revived, and, if so, what method of recruitment would you recommend?—No.

9829 (22). If the system of recruiting military officers in India for posts in the Indian Civil Service cadre has been stopped or has never existed in your province, would you advise its reintroduction or introduction, as the case may be, and if the system should be introduced or reintroduced, to what extent, in your opinion, should it be adopted?—No.

9830 (23). Do you consider that such a system should be restricted to the recruitment of military officers, or extended to the recruitment of selected officers from other Indian Services?—See above answer.

9831 (24). What is your opinion of the system by which certain posts, ordinarily held by members of the Indian Civil Service, are declared to be posts (ordinarily termed listed posts) to which members of the Provincial Civil Service can properly be appointed?—My opinion is that the system has not been very successful. Generally speaking, such appointments have been made when the officers are too old to adapt themselves readily to their new position. I think it essential that men holding posts equivalent to those ordinarily held by members of the Indian Civil Service should have their social position and surroundings as nearly as possible the same as those of Civilians.

9832 (25). Are you satisfied with the present rule which prescribes that Natives of India, other than members of the Provincial Civil Service or Statutory Civilians, may be appointed to one-quarter of the listed posts?—So far as I know, the rule has been rarely, if ever, applied in practice. But I see no harm in retaining the power.

9833 (26). Are you satisfied with the system by which most of the inferior listed posts are merged in the Provincial Civil Service?—Yes.

9834. (27) Is the class of posts listed suitable? If not, in what directions would you suggest any changes, and why?—Yes. But with

regard to this question and the last, my personal knowledge and experience are very limited.

9835 (28). Please add such remarks as you may desire to offer on any points relating to the system of recruitment for Indian Civil Service posts which are not covered by your answers to the foregoing questions?—I should like to add to my answer to question (7) as follows:—If, for any reason, it is considered impracticable to accept the recommendation I have made to hold a supplementary examination in India, I would strongly urge that facilities should be liberally offered to Indian students to proceed to England with a view to compete for the Indian Civil Service. Such facilities should consist (i) of scholarships sufficient to defray all necessary expenses, and (ii) reasonable prospects of obtaining other suitable employment in India, if unsuccessful at the competitive examination. But I would strongly insist that every person appointed to the Indian Civil Service should have the benefit of at least two years' training in England.

9836 (29). Do you consider that candidates recruited for the Indian Civil Service by open competitive examination should undergo a period of probation before being admitted to the Service?—Yes.

9837 (30). If so, how long, in your opinion, should this period be, and what course of study should be prescribed for the probationers?—The present period of one year and the course of study now prescribed seem to be suitable, except in the cases covered by my next answer. If the suggestion made in my next answer be accepted, it may be necessary to extend this period to two years.

9838 (31). Do you consider that any differentiation is necessary between the course of study for probationers who are Natives of India and the course prescribed for other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend?—If Natives of India are appointed by examination in India, they should be under probation for two years; such period being spent in England, partly at a residential English University and partly in London; the latter portion being employed in a study (a) of the procedure of English courts, and (b) of the practice and procedure of the London County Council and similar institutions.

9839 (32). Do you consider that the probationers' course of instruction could best be spent in England or in India? Is your answer equally applicable to the case of Natives of India and of other natural-born subjects of His Majesty?—In England. Yes, I would prefer candidates selected in England to spend their period of probation in India; but I am afraid it would be idle to expect young Englishmen to come out to India without being absolutely certain of their appointment.

9840 (33). Do you think it desirable to start, at some suitable place in India, a college for the training of probationers of the Indian Civil Service, and possibly of other Indian Services recruited in England?—No.

9841 (34). Do you think it desirable that each Provincial Government should arrange for the training of probationers by suitable courses of instruction for the whole or portions of the first

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two years of service at some suitable centre?—I take it that by *probationers* it is intended to designate those who have passed their probation and joined the Service in India. If so, my answer is that such instruction should be given as now at different centres, under selected district officers, each Provincial Government making its own arrangements for the purpose.

9842 (36). Do you consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service? If so, what are the causes? Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages, and, if not, how could this best be remedied?—I believe there has been. The causes are in my opinion chiefly three in number: (i) more Indians speak English now than before, and the necessity of speaking the vernaculars is not so great, and (ii) frequent transfers, and (iii) greater facilities for spending their leave out of India. I think the remedy lies in raising the standard of the departmental examinations in vernaculars and in making promotion depend to a larger extent on proficiency in the same.

9843 (37). Please give your views as to what steps (if any) are necessary to improve the proficiency in the knowledge of law of members of the Indian Civil Service, distinguishing between recommendations applicable to all officers and to officers selected for the Judicial branch?—The standard of the examination now held should be raised, so far as all officers are concerned. So far as officers selected for the Judicial branch are concerned, they should be selected after not more than five years of service. After such selection they should be attached to the High Court for a period of (say) one year, during which the Chief Justice should make arrangements for their seeing the actual working of the Courts. Afterwards they should discharge the duties of munsifs for a period of about two years, next those of a Subordinate Judge for another period of two years. They should also try criminal cases (original for some time), and after which alone they should be considered as qualified to act as District and Sessions Judges.

9844 (38). Do you recommend any special course of study in law in India for officers selected for the Judicial branch?—No. Practical training more than mere theoretical study is what I venture to think is necessary.

9845 (39). Do you recommend any special training in subordinate judicial posts in India for officers selected for the Judicial branch? If so, please give details?—Please see my answer to question (37).

9846 (40). Is any differentiation desirable in a system of training after appointment in India between members of the Indian Civil Service who are Natives of India and other natural-born subjects of His Majesty?—No.

9847 (41). If you have recommended the introduction of any scheme of direct recruitment in India for Natives of India, whether in lieu of, or supplementary to, the system of recruitment in England, please state what system of probation and training you recommend for officers so

recruited.—Please see my answer to questions (28) and (31).

9848 (42). Is any differentiation necessary in regard to the probation and training of members of the Indian Civil Service who are Natives of India as between persons of unmixed Indian descent, of mixed European and Indian descent, and of unmixed European descent?—No.

9849 (45). Do you consider that the exchange compensation allowance introduced in 1893, eligibility for which depends on nationality or domicile, should be abolished, and, if so, under what conditions? Should such abolition apply to officers already employed or be restricted to future entrants?—I should abolish it as to all future entrants, increasing the salaries to a reasonable extent.

9850 (46). If abolition is recommended with compensation in the form of increased salaries, what is your opinion regarding the grant of a similar increase of salary to those members of the service who now draw no exchange compensation allowance?—Similar increase of salary should be granted to all members, irrespective of nationality or domicile.

9851 (47). Turning now to the case of the Statutory Civilians and officers of the Provincial Civil Services holding listed posts, do you approve of the arrangement by which they draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service?—Yes.

Written answers relating to the Provincial Civil Service.

9852 (51). Please refer to Government of India Resolution No. 1046-1058, dated the 19th August 1910, defining the general conditions which should govern recruitment to the Provincial Civil Service, and reproduced as Appendix A. Are these conditions suitable, or have you any recommendations to make for their alteration?—I think that after reserving a certain number of appointments for nomination, the rest should be thrown open to competition, as before.

9853 (52). In particular, are the rules for the recruitment of the Provincial Civil Service in force in your province suitable, or have you any recommendations to make for their alteration?—As above.

9854 (53). Do you consider that recruitment for a Provincial Civil Service should ordinarily be restricted to residents of the province to which it belongs?—No.

9855 (54). Are all classes and communities duly represented in your Provincial Civil Service? Do you consider that this is desirable, and what arrangements do you recommend to secure this object?—Any inequalities in this respect may be remedied by the power of nomination to a certain number of posts. But I do not attach any great importance to this, as I am of opinion that efficiency should be the primary and essential qualification.

9856 (55). Are you satisfied with the existing arrangements for the training and probation

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of officers appointed to the Provincial Civil Service? Yes.

9857 (56). Do you consider that the numbers of officers authorized for the various grades of your Provincial Civil Service are satisfactory? If not, please state your views?—I believe that there are too few posts in the superior grades. The number should be increased.

9858 (57). To what extent are the functions of the officers of the Executive and Judicial branches of your Provincial Civil Service differentiated? Is any change desirable, and, if so, in what direction?—If this refers to the much discussed question of the separation of Judicial and Executive functions, I will only say that I am entirely in favour of such separation.

9859 (58). Are you satisfied with the present designation "the Provincial Civil Service"?—Yes.

9860 (59). Do you accept as suitable the principle recommended by the Public Service Commission of 1886-87, and since followed, that the conditions of the Provincial Civil Services as

regards salary should be adjusted by a consideration of the terms necessary to secure locally the desired qualifications in the officers appointed? If not, what principle do you recommend?—I think due regard should also be had to the salary which is necessary to enable the officer to live according to his position. The present scale of salaries was fixed many years ago and to my mind urgently requires revision.

9861 (60). Are the existing rates of pay and grading in the Provincial Civil Service of your province adequate to secure the desired qualifications in the officers appointed? If not, what alterations do you recommend?—Please see previous answer.

9862 (61). Do you approve of the arrangement by which officers of the Provincial Civil Service holding listed posts draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service?—Yes.

MR. S. P. SINHA, called and examined.

9863. (*Chairman.*) Would you be good enough to say what public posts you have occupied?—I have been Standing Counsel to the Government of India; I was Advocate-General of Bengal, and I was also for a short time, for about a year and a half, Law Member of the Viceroy's Executive Council.

9864. In reply to the questions you state that you do not consider that the institution of a system of simultaneous examinations in India and England would be practicable under the present conditions?—Without qualifications and conditions imposed: I have pointed out that I agree with the condition that was laid down by the Secretary of State when he sent out the resolution of the House of Commons with regard to simultaneous examinations, that there must be provision made for an adequate number of Europeans in the Civil Service. Without that provision I am not prepared to recommend simultaneous examinations for the Civil Service.

9865. The reason why you are not prepared to advocate simultaneous examinations is because you cannot see any definite assurance of maintaining that European proportion which you regard as essential to the administration of India?—I confess I think practically there is every assurance that there will never be a preponderant majority of Indians, having regard to the character of the examination, and having regard to the intellectual calibre, firstly, of the European candidates, and secondly, of the Indian candidates. But fears have been constantly expressed, and have been expressed very freely, that it might have the effect of admitting a larger number of Indians than is desirable. It is with reference to that, and to the bare possibility of such a state of things, that I say there must be a definite assurance with regard to it merely to allay the fears and anxieties which, in my opinion, are absolutely groundless.

9866. However remote may be the prospect of a large influx of Indians, you consider it important to fix a proportion now?—I think I would.

9867. Under your alternative scheme, you recommend that in the future the proportion should be one-third of Indians to two-thirds of Europeans?—Quite so.

9868. That means that there should be automatically one-third of Indians recruited into the Indian Civil Service, to two-thirds of Europeans?—I have added a proviso, namely, that there must be a minimum qualification laid down. If, as a matter of fact, there are no Indians who satisfy that provision, then there cannot be.

9869. Assuming that in any year they do not come up to that qualification, the proportion would be less by that number?—Yes, less by that number.

9870. Your proposal is that there should be first of all an ordinary examination at home, and assuming that the full one-third of Indians were not successful at that examination, that there should be at some subsequent period an examination held on similar lines in India, or on as similar lines as possible, to enable the proportion of one-third to be made up?—Quite so.

9871. Those who were unsuccessful at the examination in England would be eligible along with other Indians who had not gone to England to take part in the competitive examination in India?—They would.

9872. The remainder would be made up on a competitive basis in India?—Yes.

9873. I take it that those who had succeeded in England would be regarded as senior to those who had succeeded in India?—Yes, that is so.

9874. Their places in the list would be higher than those who would be admitted at the subsequent examination?—I should like to point out that, according to my scheme, so far as the question of pay and position and so forth is concerned, they should all be absolutely equal.

9875. You do not apprehend that those who have entered the service through this separate

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examination in India would be regarded as in any way inferior to those who had been successful at the open competition in England?—I do not think so, because I think their merits will really be considered later on; I mean, not so much with reference to the examination as with reference to the work that they do.

9876. You do not think there would be any feeling with regard to the examination, but that the men would be judged by their work?—That is my opinion.

9877. What do you think would be the effect of this separate examination in India: do you think that Indians would go and compete in England, or not?—I did feel some apprehension that it might have the effect, at any rate, of discouraging, if I may say so, Indians from undertaking the visit to England for the purpose of appearing at the examination there; but on the whole, inasmuch as the examination here is to be supplemental, I think there will always be a sufficient number of young men who would be willing to take the risk and to appear at the examination in England, because, under my scheme, they have preference. If they get in there they get in at once. It is only a sort of supplement—the examination held in India.

9878. You would agree that the test in England should be a more severe one than the test in India, at any rate for some time to come?—I believe so. I have no reason to think that it will be anything to the contrary.

9879. With regard to the conduct of the examination in India, who would you suggest should be the examiners?—I should prefer that the examination should be held under the auspices of the Civil Service Commissioners in England.

9880. And would you desire that the examination should be, as far as possible, on all fours, with regard to the standard, with the examination in England?—Exactly.

9881. You would not suggest that any subject of examination particularly relative to India should be introduced with the syllabus of the examination in India?—I do not think so. I think there is less necessity for it with reference to the examination in India than with reference to the examination in England.

9882. You suggest different terms of probation for men recruited in India and in England respectively, do you not?—Yes.

9883. You suggest that those who have passed the examination in India should go to England: you regard that as essential?—Yes. I think the candidates selected in India should go to England.

9884. For two years' probation?—Yes, for two years' probation.

9885. For study at a University and at the Bar?—Not so much for study at the Bar, but for study at a University, and for learning at institutions connected with Local Government.

9886. You set store upon that second point?—Yes, I do.

9887. Have you considered how such training could be carried out?—I cannot say that I have. I have attempted to find it out, but I have not succeeded.

9888. You suggest that the European candidate might spend a part of his probation in India?—Yes: but I say that that would be a counsel of perfection. I do not quite see how a probationer can be induced to come out to India with the risk of his not being taken into the service. I have said that I do not think it would work at all. I think the practical measure will be to leave things as they are as far as European candidates are concerned: that is to say, two years' probation.

9889. And thereby obviate any difficulty with regard to the relative seniority of Indians and Europeans as tested by the aggregate of the preliminary and final examination?—Yes.

9890. Do you set store by the European Civilian being trained in the customs and habits of India prior to his taking up active work?—That, again, would be a counsel of perfection. If it is to be insisted upon in the way Mr. Strong was insisting, it would be very good; but I do not see how we could stand the expense of having two years' probation in England and practically two years' training without doing any work at all in India. I think they must be trained as they go along, as they are now.

9891. I notice that you do not propose a separate method of recruitment for the Executive and the Judicial branches?—That is to say, if my recommendation with regard to the proportion being set apart for Indians is accepted; otherwise, I should give a different answer from that.

9892. Assuming your scheme to be carried out, you would suggest that a proportion of District and Sessions Judgeships should be reserved for barristers and vakils of the High Court?—I would not say "reserved." If my scheme with regard to the Civil Service is accepted, I would not then say "reserved"; I would only have liberty retained for the Government to be able to appoint vakils and barristers to these posts.

9893. Would you suggest any proportion?—It would be necessarily small to start with. I would rather not suggest a definite proportion.

9894. Under this scheme, would there be some risk of creating uncertainty in the Indian Civil Service?—There would be some risk.

9895. Your scheme entails the abolition of the listed posts?—No; that is to say, if the proportion which I have ventured to urge is accepted.

9896. But if that proportion was not accepted you would then retain the listed-posts system?—Yes, because it would give us Indians a little more in the way of sharing the administration.

9897. Do you think that a proposal to abolish listed posts would tend to discourage the Provincial Civil Service?—It would have its compensations. There would be the greater possibility of Indians getting into the higher service; and though it might not be very acceptable to men who are already in the Provincial Civil Service (and provision must be made with regard to this) I do not think it would generally be considered unsatisfactory. I do not think it will affect the Provincial Civil Service in the long run.

9898. You suggest that the system hitherto in force has not been very successful as the

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officers selected for the posts have reached so advanced an age?—Yes.

9899. Could not that evil be remedied by some system of selection?—It might, but I have a distrust of systems of selection. I think it might lead to favouritism, as it very often does.

9900. You would prefer the system of promotion by seniority to promotion by selection?—Yes, as a rule.

9901. In default of this scheme which we have been discussing, you suggest as an alternative the grant of scholarships to encourage more Indians to go to England for examination, and to give them a better chance of success?—Yes.

9902. Have you thought out any scheme for the award of these scholarships?—I have thought of it, but I cannot say that it is quite a scheme. It is perfectly certain that the scheme which was recommended during Lord Lawrence's Government erred on the side of recommending too few scholarships. Anything like that will not meet the requirements I have in view. A system of scholarships, in order to have any appreciable effect, will have to be on a fairly large scale. For example, I should say about 100 scholarships for the whole of India, which, of course, would be expensive. But that is a matter which I have not considered, and I do not know how far we can bear that.

9903. You have not thought out the details of any scheme?—No.

9904. But assuming that you have a round number of scholarships, whatever the number may be, would they be for the whole of India, or would you allocate them to provinces?—There, again, that is a matter which I have not thought out.

9905. But it is rather an important point, is it not?—Probably it would have to be allocated to provinces.

9906. In answer to question (28) you say, "If, for any reason, it is considered impracticable to accept the recommendation I have made to hold a supplementary examination in India, I would strongly urge that facilities should be liberally offered to Indian students to proceed to England with a view to compete for the Indian Civil Service. Such facilities should consist of scholarships sufficient to defray all necessary expenses and reasonable prospects of obtaining other suitable employment in India, if unsuccessful at the competitive examination"?—Yes.

9907. What kind of employment would you suggest should be opened to them?—The Provincial Services.

9908. How would you allocate such employment: would you institute an Appointments Board?—There would be a certain number of appointments in the Provincial Service according to my scheme which will not be made as the result of competition, though that number, I suggest, should be very small. These men ought to have a preferential claim to any such appointments that may be going.

9909. They would automatically have the first claim on those posts?—Yes. There are other services which I ought, perhaps, to mention in the Financial Department. There are appointments in the Financial Department which

are very well-paid appointments, and which are considered good appointments so far as Indians are concerned. They might get some of those. There are not many; but there are generally some every year.

9910. You would give an opening in departments other than the Provincial Civil Service?—Yes.

9911. As regards training in the Judicial branch, you say that the selection should be made to the Judicial branch after five years' service, and that the selected candidates should spend the next five years in the High Court or as Munsifs and Subordinate Judges?—Yes. And also in the High Court itself under Judges, if the Judges would undertake to shew them the practical working of the High Court.

9912. Would you suggest that they should have study leave to go to England?—I have not got much faith in study leave.

9913. Why?—There is no certainty that man who has been working hard for so many years in India, when he gets the chance of getting home, would employ the few months when he gets there in working hard at books of law. I do not think it is reasonable to expect that.

9914. There would be no one in control over him to ensure that he does his best work?—They would not utilise their time for the best purpose for which the leave would be granted. It would probably be a waste of time.

9915. Could not good work be guaranteed by some means?—It might; but the examination would have to be fairly stiff; because the examinations in law, as far as the Inns of Court are concerned, are not very difficult, and if that is the kind of standard which would be laid down, it would be easy for men with a very little study to pass an examination of that kind.

9916. You would be satisfied that they would obtain all the necessary legal training in India?—Quite so.

9917. Whilst holding posts of Munsifs and Subordinate Judges, what salary do you suggest that they should receive?—The grade pay of their service. It would be worth paying for good Judges.

9918. (Sir Murray Hammick.) You have expressed an opinion that you think it is a groundless apprehension that if simultaneous examinations were instituted there is a chance in the immediate future—in the next few years at all events—of Indians getting a larger proportion of these appointments than you think advisable: you think it is groundless to apprehend that at present?—I have endeavoured to make it clear that I do not share that apprehension myself. But there are many people who do have that apprehension, and I think it is only right that it should be allayed.

9919. Do you not think that as soon as simultaneous examinations are instituted there will probably be a great demand in India for the curriculum to be modified in order to give Indians a fairer chance of obtaining successes at the examination, such, for instance, as increasing the value of the marks given for Sanskrit, Arabic, Indian Law, Indian History, Indian Geography and probably the vernaculars?

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Do you not think that that is likely to result?—It is possible that such a demand may be made; but if made, it would have to be resisted.

9920. You think it would be very difficult to resist?—I do not know that.

9921. As regards your service that you propose, you would keep your candidates exactly in the same list as the existing Civil Service candidates are placed in?—Yes.

9922. Have you ever thought of a scheme under which you could separate off a larger number of the appointments belonging to the Civil Service which are now treated as listed, and make a separate service of them, recruiting them in India by a system of examination very much similar to yours, and allowing these appointments to be placed in special lists, so that candidates should go from the bottom to the top in the same way as they do in the Indian Civil Service list: have you ever thought of a scheme of that sort?—I do not know that I have thought of that particular scheme. But I am entirely against a separate service for Indians and for Europeans.

9923. The reason being that you do not think that if you had a separate service of any kind for recruits in India, you could ever give it the same status as is held by the Indian Civil Service?—I quite agree.

9924. With reference to your answer to question (24), you say, "I think it is essential that men holding posts equivalent to those ordinarily held by members of the Indian Civil Service should have their social position and surroundings as nearly as possible the same as those of Civilians." As regards Bengal, is it not a fact that the average man who joins the Provincial Service differs very little in class, social position, and status from the Indian who goes home and passes the examination in England; there is very little distinction?—That is so.

9925. Do you think that by simultaneous examinations of the character which you propose one result would be that you would get any different class into your Indian Civil Service from the class which now goes into the Provincial Civil Service?—I do not know that we are at one with regard to this. The position of the persons who get into the Indian Civil Service and the persons who get into the Provincial Civil Service is exactly the same before they get into the service, but the position is very different when they do get into these respective services.

9926. You mean that the position in society up-country and in the mufassal of Bengal of the Indian Civil Servant is distinctly different from the position taken up by the man who is in the Provincial Service?—Yes, and also in the Presidency towns. I mean that everywhere the position is very different. He is looked up to very much more than the man in the Provincial Service. It carries a higher social status.

9927. That is what I wanted to get from you. You have said you do not much believe in sending Civil Service officers home in order to train them for the Judicial Service, because you think that probably they would not do the requisite amount of work there in the study of law; but in your answer to question (38) you say distinctly that "practical training more than

mere theoretical study is what I venture to think is necessary." That rather differs from the opinion we have heard expressed in a good many places by many witnesses that the Indian civil officer who takes over the civil work late in his service, while he understands procedure and understands administration, has a knowledge of law which is extremely small; and is it not really the reading of books of law, the books which contain the principles of law, which is the important part of the training which should be given to the Civil Service officer who wishes to take over this work?—That is not my opinion. I think that senior civilian officers, when they are entrusted with civil judicial duties, have had no training, either theoretically or practically, in matters of civil law; it is not to be wondered at that they should be found wanting. To my mind the wonder is that they are as good as they are.

9928. The instance I had in view was that of my late colleague in Madras, Mr. Krishnaswami Iyer, who was Judge of the High Court. I asked him to give a young Judge who was going home on furlough for two years a scheme of study in England. He gave him the names of a series of books which were entirely a study of theoretical law, and he told him, "If you will only read these books, and master them, you will have every right to expect that you will yourself become a first-rate Judge"?—I do not agree with that; but I quite agree so far as the books which should be studied are concerned, so that a man might become a perfect lawyer by studying those.

9929. You would sooner see the study confined to the courts of this country?—Yes, I think that is more practical.

9930. (Sir Valentine Chirol.) If your scheme were adopted, would the Indian candidate who has failed in London be able to compete again for the Indian Civil Service in the examination conducted in India?—Yes, there would be no bar. Just as if he fails in the first year, he can try the next year.

9931. Would not his position be rather a difficult one if he came out here and passed into the Civil Service through this door, having failed to pass through the London door?—As I say, I do not think in the long run people will remember which door he got in through. If he got into the Civil Service, and did good work, he would be looked up to as a member of the Indian Civil Service, and he would have the same position as the others.

9932. You propose that a certain number should pass in through the examinations here: they will be drawn from the same classes from which the members of the Provincial Service are now drawn, and afterwards get listed posts?—Yes.

9933. Do you think that their position will be regarded in the same light as a superior position by the men now in the Provincial Civil Service, as the position of those who passed in London?—I think my previous answer applies to that also. If they get in here and then go to England and come back as full-fledged members of the Indian Civil Service, their position will be considered higher than that of a Provincial Civil Service man who, probably, may be his brother.

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9934. But you do not think, on the other hand, that the position of the Provincial Civil Service man, however admirable and conspicuous the service may be which he rendered now in the listed posts, would ever gain for him the same sort of recognition at the hands of the Indian public?—That is my experience.

9935. It is really the label you want?—I think it is more than that. In the first place, the man with a listed appointment does not get the same pay, and therefore cannot keep up the same position, and his surroundings are very often different by reason of the fact that he is admitted fairly late in life. He finds it difficult to adjust himself to the new surroundings.

9936. In answer to question (28) I see that you wish for reasonable prospects of obtaining other suitable employment in India. Would you tell us what is the proportion of candidates now going up for the Civil Service in London who fail and, having failed, are unable to find any suitable employment?—The number varies; but I think the average may be taken to be something like 20 candidates who go up every year for the Indian Civil Service. This year, I believe, it was much larger: I think it was between 40 and 50. I was there at the time, and I heard there was a very large number who had gone up. This year about seven or eight got in by reason of extraordinary circumstances; the rest did not get in, and I think it is likely that none of them will find employment, that is to say, find Government employment, when they come back.

9937. You restrict it to Government employment?—Quite so.

9938. Of course there are other fields of employment open to them?—For men of this class there is nothing but the Bar practically.

9939. There is journalism and literature?—Literature is not a very paying profession in this country.

9940. There is, of course, education?—Yes; but unless these men have taken good degrees, either in the Indian or in the English Universities, I think they would find it difficult to get employment even in private colleges; and with regard to Government colleges, for the employment that is offered to them, even if they get particularly good English degrees at Cambridge or Oxford, they are asked to begin at Rs. 150 a month or thereabouts, which of course is an impossible position.

9941. You do not think that with the method you propose as an alternative for encouraging a larger number of Indians to go to England and enter for the Civil Service examination, you could fairly expect to obtain that increase of the number of Indian members of the Indian Civil Service which you desire to see obtained by this modified system of simultaneous examination?—Something towards it: probably nearly as much. It may not be quite as much: it depends very much upon the number of scholarships offered.

9942. You would not be prepared to carry out this alternative scheme as worthy of being tried, before making the very much larger experiment of simultaneous examination with the modified conditions you have

proposed?—Personally I would prefer the other thing to begin with; and, if that is found unsatisfactory in any way, to revert to this. This I propose only in case it is found absolutely impossible to accept my first recommendation.

9943. I think you agree that it is always very much easier to go one step further than to withdraw, which would be regarded as a retrograde step?—I think you are right, that there might be risks. If you begin at the first suggestion and that fails, and then go back upon that, it might be risky, no doubt.

9944. Whereas there would be no risk attaching to the tentative proposal you made?—No risk, except that it will not give the satisfaction that the other one will.

9945. (*Mr. Abdur Rahim.*) I wish to know your opinion regarding the Judicial branch of the Provincial Service. Do the men who are doing the work of Munsifs and Subordinate Judges do their work satisfactorily?—I think extremely satisfactorily.

9946. I should also like to know what you have to say regarding those members of the Provincial Service who are holding now the listed posts, the District Judges' places: what is your experience of their work?—I believe they do their work very well.

9947. I believe you said there ought to be no alteration as regards the pay; two-thirds pay of the Provincial men who are appointed District Judges and District Magistrates: you approve of that arrangement, I think. Does it not strike you that men doing the same work, discharging the same responsibilities, should draw the same pay; and, after all, it is not a very large number?—Undoubtedly it would be better if they were paid higher rates. At the same time I think there ought to be a distinction between men who have been to Europe, and men who have not.

9948. But to counterpoise that consideration, in the case of men promoted to the listed posts, Provincial Service men, they have been a long time in the service, and have much less time to enjoy the larger salaries: would not that be a counterbalancing consideration?—Yes, it would, in many respects.

9949. Is it not a fact that in this Presidency there is considerable feeling as regards the salary?—I cannot say that I have noticed any great feeling with regard to this matter. I am only speaking of Bengal.

9950. As regards recruitment for the judicial service, I understand that you would make an experiment of appointing men from the profession directly to District Judges' places?—Yes; I would like to add further that, if the scheme with regard to the examination for the Civil Service in India is not accepted, I think another alternative to the scheme of scholarships would be the separation of the judicial service altogether from the Indian Civil Service and a separate recruitment for that service.

9951. I should like to know, as regards the men that are available in the profession—both Barristers and Vakils—are there not men in your opinion at present available who are fit to be appointed as District Judges?—Yes.

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9952. How many could you supply from your branch of the profession?—I think I could name a dozen men who would do very well as District Judges.

9953. And from the other branches of the profession?—There would probably be more.

9954. Would it, in your opinion, be a serious objection if men were appointed from the Bar who have had no previous administrative experience in regard to managing offices or looking after the work of District Munsifs or Subordinate Judges?—I do not think so. I do not think that, as regards men who have made their mark at the Bar—I assume that the men who will be appointed to such appointments as District Judges naturally will have made their mark—it will take them any time to make themselves familiar with managing an office of the kind that District Judges have to manage.

9955. A suggestion has been made that the work is of very great importance, and it is not possible to do that work satisfactorily, that is, the administrative portion of the work which falls to the lot of a District Judge?—I do not say it is not important.

9956. What I mean is this: it is stated that for this work to be satisfactorily discharged one should have previous experience of an administrative character?—I do not agree with it. I think that the ability to manage the administrative part of it can soon be acquired by a man who has made his mark at the Bar.

9957. A further suggestion has been made that, as regards criminal work, you have to begin your experience as Magistrate in order to acquire efficiency in criminal work. Is it your opinion that the members of the Bar who have attained a certain status in the profession would not be able to discharge their duties as criminal Judges as efficiently as men who have been tried as Magistrates?—Not at all. Most of the men at the Bar begin their career with criminal cases.

9958. I take it that the men in fairly good practice have also to do a fair amount of criminal work?—Yes, I believe so. We do not specialise in this country to the extent they do in England.

9959. Would you tell me what is the ground for saying that only an experiment can be made at present with regard to the appointment of District Judges at present from the members of the Bar—a tentative experiment?—In the first place, the appointments have hitherto been held by members of the Indian Civil Service; and I for one personally am extremely unwilling to do anything that would impair the usefulness and the position of the Indian Civilian.

9960. You mean the Judicial branch?—Yes; there are appointments which the Indian Civilian has a right to aspire to now, and in the ordinary course of things they come to him. If so many appointments are taken away from the Indian Civil Service, there will be so much less inducement in the Indian Civil Service.

9961. You mean you will get less men to compete for the Civil Service?—Yes; because there are so many prizes taken away from the Service.

9962. But viewing it from the point of view of administration of justice, pure and simple, do you think an adequate number of appointments, if made from the Bar, would not be satisfactory?—I have every hope it would; but probably my mind is such that I always like to know first as to how it is going to work before starting a thing.

9963. But you would like to make an advance in that direction, I understand?—Yes.

9964. Then as regards the system of training for Judges, you say that an Indian Civil Servant might begin to specialise after five years' service here; that is what you suggest?—Yes.

9965. What will he be doing in these five years?—Settlement work, which, I think, is very essential, and also criminal work, trying original criminal cases and different kinds of administrative work, revenue and so on, that an ordinary Civilian has to do; there is plenty of work for them to do.

9966. Have you considered the subjects of the examination for the Civil Service?—You mean for the competitive examination?

9967. Yes?—I have.

9968. Would you, or would you not, like to add law and give higher marks for it generally?—I have suggested that it should be added.

9969. What I was suggesting was this: during the period of five years he might forget all the law that he learnt?—We expect him to read a little during that time.

9970. Do you think that while doing the work of a Settlement Officer he will have time to keep up the study of law?—I think so.

9971. Would you expect it ordinarily, I mean?—Well, provided he knew that his promotion in the Service will depend upon it.

9972. But you would make selection during the five years or at the end of the five years?—He has to pass a certain examination in law; and I have suggested that the character of that examination should be changed to this extent, that a greater knowledge of law should be acquired than at present is the case.

9973. That will be some inducement to him to study the law, but would it not, I suggest, be better that there should be separation or bifurcation from the very beginning of the service between the judicial and the executive?—There are certain kinds of work which every Civilian must learn, whether he is to be an executive officer or a judicial officer. Even as a Judge, I think, a knowledge of settlement work is of great use. I have heard it said by very eminent Judges that it is essential.

9974. You mean by settlement work trying revenue cases or settling revenues?—Settling revenues, settling rents. It makes him familiar with the whole system of land tenure of the country, apart from the knowledge of the people that he gets from doing that work.

9975. After five years would you place him for one year under the High Court?—Of course, when I mention five years I do not know if I insist on the five years, but a sufficient period to do the ordinary preliminary part. I have mentioned figures only tentatively.

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and do not pin my faith on the particular number of years that I have mentioned.

9976. I see that you are emphatically of opinion that there should be a separation of the executive and the judicial functions?—Yes.

9977. Is that on theoretical grounds or from your practical experience?—Both from practical experience and upon all that I have heard, read and seen.

9978. Is there a strong public opinion on the point here?—Yes.

9979. Do you know the scheme put forward by Sir Harvey Adamson as a sort of experimental measure?—Yes, I know.

9980. Has that been put into force?—I believe it was put into force in one or two districts, but I could not be certain about it. I believe it was; but, as a whole, it has not been put into operation yet.

9981. It is not in operation at all at present?—That is my impression. I should like to add, that is, I believe, because of the troublous times we have gone through lately, that that has not been put into operation.

9982. But is it your opinion that such a separation will, in an appreciable measure, tend to create any difficulty in dealing with troublous situations?—I do not think so.

9983. In your opinion there is no such apprehension?—No.

9984. As regards your method of recruitment, I should like to know this: whether here it is not the practice for the High Court to appoint District Munsifs?—Yes.

9985. There is no competitive examination for Munsifs?—No.

9986. Is there any reason why there should be any difference in the selection for the subordinate judiciary and the executive?—I do not know that there is. Personally I would prefer a competitive examination, though, of course, the older a man gets the harder it will be for him to pass the competitive examination.

9987. You propose a competitive examination for the Provincial Service, for the judiciary?—For entrance into the provincial judiciary and not for promotion.

9988. But for the appointment of Munsifs and Subordinate Judges?—Subordinate Judges are entirely appointed from Munsifs.

9989. By seniority?—Ordinarily so.

9990. Then about your District Munsifs?—I do not see why competitive examinations should not do well even for these; but I have no reason to think that the present system has, in any way, been found to be unsatisfactory.

9991. I think you have said on the other hand that it has worked very satisfactorily?—Yes; therefore, unless there be any reason for the change, no change should be made.

9992. You are very strong about the evils of selection; but these evils are not apparent in the present method of selecting District Munsifs?—No; that is so.

9993. I mean it is possible to have a properly constituted body like this to make selections even for the executive branch?—I do not know

that there is a body to select for the judicial posts. I think it is more or less one Judge that does it. I do not know if it is similar to what is called the English Committee; whether it is a body, or whether it is one Judge who presides over it, I am not quite sure. But, in any case, I do not think that there is much selection. I think it is more or less according to the order of merit tempered by the admission of people highly recommended.

9994. I suppose that those who recommend are mostly Judges—District Judges or High Court Judges—who know the work of the candidates?—Yes; I believe others do it, too; people who have some influence with the Judge in whose hands the appointment is.

9995. I see you are emphatically against what you call "class representation" in the Civil Service as well as in the Provincial Service?—Yes.

9996. What I wish to know is this: if you have a minimum qualification and have the standard high enough, is there much evil to be apprehended; supposing you require that they should be graduates in Honours, second class, or a qualification of that nature?—I am sorry to say that I think it will lead to a system of favouritism as it has very often done in the past.

9997. But it will be confined to a narrow field if you have a high standard of qualification?—No doubt the evil will be minimized if minimum qualifications are laid down; but there will be the evil still.

9998. But I am asking you to consider this: if you have a mere absolute competitive test, say for the Provincial Service, throughout India, in your scheme the possibility is that certain important provinces will go unrepresented and also certain communities?—I doubt that myself.

9999. But supposing that were so, is that not also an evil to be taken into account?—Yes, it would be an evil; but I doubt if the evil, if it is one now, and if it at all exists, in shutting out different classes would continue. But I do not think that any class will be shut out; and if it does shut out people now in any particular class, I think it will very soon right itself.

10000. You had the competitive examination for the Provincial Service here for some time. Do you know if ever a Muhammadan got into it?—I do not know; you may know.

10001. You may take it from me none got in?—You may be right.

10002. Still you know there are several Muhammadans in the Provincial Service discharging their duties quite satisfactorily?—Yes, quite possibly.

10003. Now you take the United Provinces and the Punjab. If you have a competitive examination, pure and simple, it is possible that you would shut out these two new provinces?—You are talking of the Indian Civil Service?

10004. Take the Indian Civil Service?—I do not think that any question of race or class representation should arise with regard to the Indian Civil Service.

10005. What I am trying to put to you is: if you get qualified men, is it not an

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advantage; would it not make the administration more effective, inasmuch as it would be more popular, if you have the important provinces and communities duly represented?—There we are talking of the principle of competitive examinations, and I believe that, recruited as it is, it is the only system that does not lend itself to abuses, and it is a system which ought to be applied so long and so far as it can to all services. That is the view which I maintain.

10006. (*Mr. Madge.*) You have just admitted that an English Indian Civilian acquires knowledge in his earlier years which is very valuable to him as a Judge; but in your answer to question (37) you say that five years might be the period at which bifurcation might begin?—I believe so; he will go on acquiring the knowledge and the experience that we are all agreed are essential after the five years also. He would not stop acquiring knowledge and experience of the country after five years.

10007. Then he would be more valuable as a Judge to the general public if the bifurcation period did not take place till later than that?—You mean he would go on improving indefinitely? I did not mean that.

10008. What I mean is; it is a question of the period rather than pure bifurcation—where the division should take place?—I think I follow. There is a certain amount of special work to be learnt now by a man who is going to be a Sessions Judge. We have got only limited time at our disposal to deal with it, and we must make the best of it. The only way to do it is to give five years for general work and then specialize for the work of District Judge. If we had unlimited time, then I would give more time for the preliminary part of it.

10009. In what respect is the time limited?—I mean that a man can only serve a certain number of years. By the time he serves as a District Judge, according to my scheme, he will have put in more than ten years' service; and in order to get the best of his service as District Judge, I think we ought to have him at least 15 years as such. So, if we put in a preliminary period of ten years or 15 years—that is one of the evils of the present system—when he is just beginning to be very useful as a Judge, he retires.

10010. You are aware, of course, that, in the circular sent round by the Bengal Government to public societies, nine years were mentioned as the period which such a scheme might have?—I was not aware of that.

10011. I will ask you whether, with reference to the importance you attach to the subject, you would not value the opinion of a responsible Government that had considered the subject, that it was not wholly in favour of the separation, and that if it was to take place it should take place at nine years for securing what you admit to be a great advantage—a certain amount of experience of settlement and revenue work and knowledge of the people and that class of facts?—I would attach the greatest weight to the opinion of the Local Government undoubtedly.

10012. You are aware that cases have occasionally or rarely arisen in which even at a much later period transfers have taken place?—I suppose so.

10013. With reference to facts of that kind, would you or would you not leave the matter in the discretion of a responsible Government than have a hard-and-fast rule which might result in unpleasant consequences?—I do not know it would result in unpleasant consequences; but I think a hard-and-fast rule of that kind will be of use as regards the particular period. As I said, I should attach the greatest possible weight to the opinion of the Local Government who have probably studied the question very much more than I have.

10014. You have told us that literature, in which you include journalism, does not hold out very great prospects to the young men of this country. Do you think that it is owing to either of these two facts—that the system of education has been defective in one respect or another, that it has not produced either literature on the one side or the class of people on the other capable of appreciating literature?—I think it is probably due to the fact that there is not a sufficiently large reading public. What is the use of having books or papers if there are no people to read them?

10015. I notice that you have strong objection to the introduction of any racial discrimination in respect of appointments; but, accentuating what Mr. Justice Abdur Rahim just said, suppose there were, not only amongst us, but amongst Pathans and men in the North-West Frontier Province, and also amongst the domiciled Anglo-Indian community, men who gave distinct marks of character and such qualities as would make them very good officers, do you think that, if things were working against them in other ways, the mere fact of their not passing the competitive examination, which may be a purely literary test, works unfairly against them?—Well, the things that you mention are so difficult to determine, and it is so difficult to settle as to who is to determine them if they are capable of being determined, that I think the safe way is to have the intellectual test. I believe that has been found to be so in England, and I do not know that it does not apply equally to this country.

10016. May we not take it that, with regard to the application of the test in England, as regards Englishmen, it assumes the possession of a number of qualities which the test does not itself really bring out, and as regards Indian candidates it assumes that they are living amidst the advantages in England for a certain period, advantages which are denied to people in this country?—I have no doubt that Indians are at a disadvantage with regard to it; but I do not know whether there is any other system that you can apply and that would not lead to abuse—gross abuse to my mind.

10017. Have you much acquaintance with men of the domiciled community?—I know a few; I have friends amongst them.

10018. A man brought up entirely in this country?—Yes, I believe so. Brought up in this country, passed the University examinations here and had been to Europe afterwards: I know men of that class.

10019. According to a statement elsewhere, a considerable number of them, though not in proportion to the whole number of

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the community, yet a comparatively large number of men have been produced in this country who have been, after retirement, used by the British Government abroad. Do you think that that class of persons is comparatively small in this country as far as your experience goes?—I am not prepared to give an opinion about that; all I say is that I have known men amongst the domiciled community—some of them very good men both intellectually and morally.

10020. In your answer to question (59), you say the "present scale of salary was fixed many years ago, and to my mind urgently requires revision." Would you be prepared to recommend a *pro rata* rise all round?—Yes, I would.

10021. (Mr. Macdonald.) Your scheme which is outlined in your answers to the earlier questions would give a very considerable advantage to Indian students going to England; would it not?—Yes.

10022. They would have two chances, and they would have a certainty if they get up to a certain standard of the examination?—Yes, they would.

10023. Have you thought of a scheme very much like your own but slightly different, viz., supposing there were 60 vacancies to be filled in for the Indian Civil Service in one year, 20 should be filled by simultaneous examination in India and 40 by an examination in England?—I have thought of that also.

10024. Do any objections occur to you to that scheme which are not alleged as regards your own?—No; on the contrary, I think the scheme which you mention has some advantages which my scheme has not, but personally I prefer my own scheme for this reason: I think it is very necessary for us in our present state of development that more and more Indians should go to Europe—for education I mean.

10025. A part of the rival scheme is that, when Indians have passed the examination here, they should go to England to undergo a probationary period. Does that meet your objection?—Not wholly; under my scheme, they have to go earlier and stay longer.

10026. Your scheme contemplates, I think, with reference to that point, that the Indian students should leave at a pretty early age. I am thinking of the scholarship section of your scheme?—No; I contemplate that they should leave, after they take their degree here; in fact, it is practically graduates only that will compete for these scholarships, and that would give them at least 2 years in England before they compete for the Indian Civil Service.

10027. When do they graduate?—About 20.

10028. That is what they can do in Bengal, is it?—Yes, as a matter of fact they could do it earlier, but there is a restriction placed upon the age of matriculation candidates and you could not matriculate before you are 16, and it takes 4 years before you can graduate—16 *plus* 4, a man must be 20 before he can get his degree.

10029. Then your scheme would be that men of 20 should go to England, should stay there 2 years preparing for the examination and then, if successful, stay another

2 years undergoing probation; that is, your man will have 4 years in England against 2 years which the man under the other scheme suggested would have?—Yes.

10030. And you think that difference is a very valuable one from the point of view of the efficiency of the Indian officer?—Yes; efficiency as a whole.

10031. The governing efficiency and the administrative capacity of the man when he comes out?—Quite so.

10032. Have you heard it stated that the present examination imposes such a nervous strain upon the Indian student that it permanently injures him?—I have heard it stated with regard to students generally, both Indian and English, if you mean the Indian Civil Service.

10033. Yes, I am going to put another question afterwards. You had better separate them. First of all, what about Indian students?—To tell you the truth, I have not heard it stated with regard to Indian youths at all.

10034. You have not heard that statement?—No.

10035. Have you heard it stated with regard to English youths?—Yes, I have.

10036. That the mental strain, the grinding, the attendance at Wren's, and the other processes they have got to go through to enable them to get the necessary number of marks, have really affected and injured the nervous system of the English candidate?—I have heard that it renders them stupid for the first two years after they come out.

10037. But you have not heard of it regarding Indian students?—No, I have not, probably because I have not talked about it. I have talked to English students and English parents, and that is what I heard from them.

10038. In answer to question (19), you say that two-thirds of the Indian Civil Service might be recruited at the moment, at any rate, from Europeans, that is what is known as the irreducible European minimum, and you give one-third to Indians. Do you agree with a statement to this effect from your knowledge of the Bengal Service, that the number of these posts filled by Europeans, that is, the Indian Civil Service posts, has now been reduced in Bengal to about the minimum that is necessary to secure the maintenance of the British character of the administration?—I do not agree.

10039. Have you known any districts which you would classify as important being under the control of Indian officers?—Not recently.

10040. Have you ever had occasion to consider the meaning of that and the cause of that?—I have heard it stated as a grievance by my Indian friends in the Civil Service that they have not been placed in charge of important districts.

10041. Did they accept the view that that is owing to their incapacity?—They did not.

10042. Have you had any reason for making up your own mind on the other subject? I do not want you to answer it if you do not like?—Yes, I have my own opinion.

10043. Would you like to give it to us?—I see no reason why the Indian members

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of the Indian Civil Service that I have in my mind should not be placed in charge of important districts.

10044. You think there is no reason?—No.

10045. Do you think that the Indian members of the Indian Civil Service get the same chance of acquiring general experience in administration and government that the English members—the British members of the Indian Civil Service—get?—If they are kept out of important districts, they do not.

10046. You just turn to a germane point. When in answer to question (24) you refer to the difference in social status between men who have been moved up into the Indian Civil Service through the gateway of the Provincial Service and men who came into the Indian Civil Service through the gateway of examination, do you mean that there is some social system in this country which automatically stamps the man who passed into the Service through the examination as a superior man and the man who has come up from the Provincial Service as an inferior man?—I should hardly think that.

10047. Let me put a specific case. I understand that in the social part of his life in this country—in Government House—everybody has a number such as No. 1, No. 2, No. 3, and so on, and if No. 3 is taken in before No. 2, there is risk of a riotous proceeding. Is that the custom, or is it not so in practice?—I think they set great store on the order of precedence.

10048. And that order of precedence is rigidly fixed?—Yes.

10049. Is it the case that this order of precedence is observed in private dinners and private functions?—I hardly think that.

10050. Not at all?—I think it is to some extent.

10051. The question I want to ask is: if a man comes up from the Provincial Service into the listed posts, is he regarded in that system of social precedence as an equal to a man who is in the same position, a man taken from the Indian Civil Service?—He is not taken as the social equal in the same way as the other man is.

10052. He is not put in the scheme of precedence?—He is not; but I cannot certify to it.

10053. Have you in the course of your experience come across any specific cases which show the undesirability of district officers exercising both judicial and executive functions?—I have.

10054. Without asking you to give any specific case, may I ask you to describe in general terms what that undesirability is. Would you give us a sort of type instance?—A judicial officer, a subordinate judicial officer, who very often tries a criminal case—in fact he generally tries criminal cases—being under the executive head, the District Magistrate, who probably has taken part in directing the prosecution, is under the influence of the District Magistrate; and whether he is directly influenced or not, very often he does things which he thinks will please his superior officer, though if he were left unfettered in the exercise of his judicial discretion, he would act quite differently.

10055. And you wish to tell the Commission that the typical instance that you give is more or less common?—I would not say it is common, but it is done often, I should think; and it has a very injurious effect and it produces an impression with regard to the administration of justice that is deplorable.

10056. That is the evil of the union. Then, I think, you made some statement about the advantages of judicial officers knowing settlement work and the fixing of rents and so on; and that is, to a certain extent, an advantage now?—Yes.

10057. Have you made up your mind, after balancing the advantages with the disadvantages, upon which side the balance really lies?—That does not affect the separation of the judicial and the executive.

10058. Well, it was only an opinion I wanted to know. Have you formed any opinion? Do you get an officer exercising both functions?—The same officer is not the judicial head of the district. Probably you have not got present in your mind the distinction between the civil judicial head and the criminal judicial head if I may so call it—the District Judge and the District Magistrate. It is the District Judge with regard to whose training I have ventured to make certain suggestions; but so far as the District Magistrate is concerned, I have made none.

10059. The District Magistrate is the Collector?—Yes.

10060. He may ultimately become a District Judge?—Ordinarily he does not.

10061. But he passes into the judicial side, if he cares to select it?—He passes on to the executive side; in fact he has probably passed on to the executive side. He becomes a Commissioner of a Division, a member of the Board of Revenue and ultimately a Lieutenant-Governor.

10062. Have you any cases in this Presidency of Collectors passing to the judicial side?—Yes, because the selection is not made until he has had a chance probably of officiating as Collector. The selection between the executive and the judicial is made fairly late now. Under the present system, before the selection is made he probably has had executive charge of a district and thereby officiated as Collector; but if he chooses the executive he does not become District Judge at all.

10063. Not if he chooses the executive, but if he chooses the judicial?—Then he becomes the judicial head.

10064. Then he has had double experience; he has had his experience as Magistrate and he has had experience as revenue officer. A suggestion has been made that if he selects to become a Judge and to go on to the judicial branch, the experience which he has had as a Magistrate and as a revenue officer is so exceedingly valuable to him when he becomes a Judge that the separation of the two functions ought not to take place in the earlier period of his service?—I do not think it is at all an argument on the other side.

10065. You do not think it is an argument on the other side?—I do not think so.

10066. I see from your answer to the Provincial Civil Service questions that you do agree

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that certain appointments should be reserved for nomination and that in the making of nominations some regard should be paid to communities?—Yes.

10067. First of all, who would you suggest should be the nominating officer? Would you keep it as it is in Bengal?—It is the Governor in Council at present.

10068. It is the Governor in Council?—That is the appointing authority.

10069. Through a series of recommending sieves?—Yes.

10070. Would you agree to the whole of that system being maintained?—So far as my opinion is concerned, I should think so.

10071. Do you think that the district officer ought to nominate?—Yes.

10072. Do you think he ought to be bombarded with requests by parents for their children being passed into the Government service?—It is very unpleasant; but unfortunately he has to go through it as most of us have to.

10073. You do not see any way out of it?—I do not.

10074. The reason why you would not apply the same rigid educational test to the Provincial Service that you would apply to the Indian Civil Service is that you think that the two services cannot be compared; that whilst it would be perfectly justifiable to allow communities to be represented in certain proportions in the lower service, the reasons that would justify it do not exist so far as the superior Indian Civil Service is concerned?—Precisely.

10075. That is the position you take up?—Precisely.

10076. Just one final question. If you took away the listed posts from the Provincial Service (I think the Chairman put this to you already, and I should like to follow it a stage further) you said that you did not think it would destroy the Provincial Service?—No.

10077. That it would make it as attractive as it is now?—It does not make it materially less attractive. That is what I mean.

10078. Do you not think that you would have requests on the part of the Provincial Servants which you cannot very reasonably refuse to accept, that it is a great mistake to draw a line across any service and say of a body of men, however superior they may be, that certain individuals in it can never pass that line, as we have it in our Class 1 and Class 2 in our Home Civil Service?—That is why I have suggested that the power to make appointments to the superior service in exceptional cases should be retained. It is, as a matter of fact, very rarely exercised, and it may be exercised more often if anything is found to cause grave dissatisfaction, but I do not apprehend it.

10079. You would not think it is essential for a well-organized service, would you, that important lower grades like the Provincial Service should have an outlet into the still more important higher grades like the Indian Civil Service?—So far as it is possible, I would have an outlet. I would prefer to have an outlet to some extent as an encouragement to men in the lower service; but I think we

cannot (by 'we' I mean Indians) expect it both ways: we cannot expect to have a certain number of appointments in the Indian Civil Service—the higher service—and also get another lot of admissions into the higher service from the Provincial Service. That is why I venture to state that if we get the proportion fixed for the Indian Civil Service, I would be willing to give up the claims for listed appointments to that extent.

10080. Would that not destroy the efficient organization of the whole service from top to bottom?—I doubt that.

10081. (*Chairman.*) I should like to put one question. What is the inconsistency in having both the examinations you propose and the listed posts for the Provincial Service?—As I understand, the inconsistency would only be in this, that the irreducible minimum—the irreducible minimum of Europeans—might be affected. I said that it ought to be one-third Indians, which means two-thirds Europeans; but if the two-thirds is further encroached upon, the irreducible minimum goes down.

10082. You do not suggest a reduction in the one-third by examination in view of listed posts?—No. That deprives us to that extent of the same status as regards the one-third. That, I think, is very essential.

10083. (*Mr. Sij.*) One question as regards one point as to which I think there has been some misapprehension. Do you know that the 'Warrant of Precedence' deals with Magistrates and Collectors without any distinction of any kind whatsoever, as to whether they are in the Indian Civil Service or out of it or hold listed posts?—I confess I have not studied the 'Warrant of Precedence' very much; but I believe Indian Civil servants as such have precedence. That is my belief. After so many years they come in somewhere, and after some years more they come in somewhere else, and it goes on in that way; but it is not a document which I have studied very carefully.

10084. But all District Magistrates and Collectors come in a single place without regard to their recruitment?—Possibly.

10085. In connection with simultaneous examinations, we heard a good deal from you in regard to the possible dangers that might arise if a large number of Indian candidates were successful. In fact it would be difficult to maintain the European minimum under those conditions. Now I want to put to you the converse case. It has been represented to us that under simultaneous examinations, very few Indians would succeed for several years; indeed that for some years none would get in through the simultaneous examination. It has been stated that, if that fact should occur, it would create a certain serious political situation, which the Government would have to take into consideration before taking such a step as the establishment of simultaneous examinations—that the disappointment of the Indian people at such a result might have certain political effects, that it might cause in the minds of some people an idea, not perhaps that the examination was unfairly conducted, but that it was conducted in such a manner as to fail to appreciate the merits of the Indian students, and perhaps it might even further give

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rise to some suspicion in regard to the fairness of the examination altogether. I should very much like to have your opinion on it. Do you think that such a sort of consideration should have any weight?—I do not think there is anything in it. I have not considered it from that point of view at all; but I do think that there is not much chance of a large number of Indians getting in, if there is simultaneous examination, for many, many years.

10086. Do you think it would have any effect in creating any political feeling that the Government would have to take into consideration—a feeling of great disappointment—that might occur?—It might, but I have not considered it. It might cause disappointment; the sense of unfairness that you just said it might, but I do not know that it would. It might, quite possibly.

10087. Well, to come to your European minimum of two-thirds, that relates to the whole of India, does it not?—Yes.

10088. Can you kindly tell us the conditions, that have been present in your mind, that induced you to fix the proportion of one-third? Why do you take that particular proportion?—I have not done it with reference to any calculation of districts or number of officers employed, or anything of that kind. I have seen it discussed at different times as to the proportion that might safely be fixed; and I took everything into consideration—the increase in the number of persons who are now more largely imbued with the spirit of English education than some years ago. As a matter of fact, that was the proportion that was mentioned by the Madras Government, I think, in 1893.

10089. For Madras, is it not?—Yes, for Madras. It is my reading of the different reports and things that I have seen from time to time that left an impression on my mind that the proportion may safely be fixed now at one-third.

10090. Would the system of second examination in India that you recommend—would that secure that one-third, being filled by the Indians?—I doubt that. The minimum qualification would be a high one according to my idea.

10091. If they had the minimum qualifications?—Yes.

10092. You think that at the present time we should contemplate such a large immediate increase in the present proportion of Indians in the Service, up to one-third?—I think so. Of course when you say 'immediate,' I suppose you mean as the result of your labours, which will not be immediate, as far as I can judge. It must take a little time.

10093. Of recent years the number of Indians successful by open competition has been only about 5 per cent. To increase it straightaway to one-third is very great, is it not?—Yes.

10094. You think it is all right and suitable?—I do not think that there is any political danger, if that is what you apprehend.

10095. I do not mean danger, but I mean for the good government of the country generally do you think it perfectly reasonable to increase it all at once to one-third?—Good government, including in it also the training

up of the people of the country to be able to govern themselves.

10096. You have recommended a certain amount of direct recruitment to the District Judges' posts, direct recruitment from the Bar?—Yes, tentatively.

10097. You think from your knowledge of the Bar that the attractions of the District Judge's appointment are sufficient to secure good first-class men from the Bar?—Not good first-class men from the Bar.

10098. Would we get a good second-class?—We should not classify them like that. If by 'good first-class' or 'good second-class' you mean men making first-class incomes, I do not say you would; but you would get men who have high qualifications. There are not many men who make first-class incomes at the Bar here.

10099. Let me put it in another way: Do you consider that that post would attract from the Bar as good or better legal talent as is at present secured from the Provincial Service and from the Indian Civil Service?—Yes; I think it would.

10100. On the whole you think that it would secure better men?—Yes.

10101. Then in regard to recruitment to the Provincial Service, from your knowledge of the Bar, do you think that the present Provincial Service recruits are about the best or good average of the young material available at the Bar or not? Does the present judicial branch of the Provincial Service attract about the best or a good average of the young material that is available at the Bar?—It does not. It only attracts more or less people who think they will not get on.

10102. In answer to question (24) you raise the point that you think that the officers of the Provincial Service get their promotion to the listed posts at too late an age to do justice to themselves. Can you kindly tell us what you think would be a suitable age for an Indian to be promoted from the Provincial Service to the post of Collector or Judge?—It must be more or less guess-work. I cannot lay down a hard-and-fast rule; but I should say before they are 30.

10103. You think they ought to get them before they are 30?—Yes.

10104. I suppose you know that the Indian Civilian ordinarily gets that promotion when he is about 37 to 40 years of age?—You mean the listed appointments?

10105. No. The Indian Civilian who comes out to this country at the present time (about 25 or 26 years of age) ordinarily gets his promotion to Collectorship after about 14 or 15 years' service, that is, he gets promotion to Collectorship at about 40 years of age?—I think under the system with which I am familiar—under that they become Collectors much earlier.

10106. They might act as such earlier; but do you think that they do so as young as 30?—I am not absolutely certain; but I think a few years ago they were Collectors long before 30.

10107. In your scheme for scholarships, the only point that has not been touched upon—and it seems to me one of considerable importance—is what system of selection or recruitment for these

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scholarships you suggest as suitable?—Either competitive examination or selection from the graduates, according to their position in the University list. I confess I have not thought it out.

10108. But, on the whole, you are inclined to think that you would take the University record of the man?—Yes, I think so; it is as good as any other.

10109. In your answer to question (32), one of your objections to probation in India is that you could hardly expect any good Englishman to come to India without being absolutely certain of his appointment; as a matter of fact, I believe the rejections during probation for a very considerable number of years in England have been practically none. If that difficulty is removed, do you or do you not think it would be a good thing for the young Civilian to come out to India immediately after he passes his examination to undergo his probation and training here?—I have said so. I should prefer the candidates from England to spend the period of probation in India; but I think, from what little knowledge and experience I have, that you would not get men to come out to India on those terms.

10110. But if you can get them to come out on these terms, you think it desirable?—Yes.

10111. Do you think, in Bengal for instance, that you can give just as good a training in law and general principles of jurisprudence as well as Indian law, as could be secured in England?—I will not say that; but I think, for practical working purposes, it is quite good.

10112. In regard to the other great branch of study during the probationary period in England, that is, the vernacular languages, do you think that instruction could be given as well in India?—Yes, I think it can be.

10113. In answer to question (16), you have given us some suggestions in regard to the modification of the syllabus and marks for the open competitive examination. I notice that you have not touched there at all the question of Indian vernaculars?—No.

10114. What I want to ask you is whether you omitted the Indian vernaculars because you considered them undesirable as subjects of examination?—It is only the classics more or less I was thinking of, and I said Sanskrit and Arabic; they should have little more marks than they have now, and Indian History and Indian law. I have not included Indian vernaculars; it is a competitive examination to start with, and it would absolutely be impossible for a certain class of candidates to take those things, for example, the English candidates in England. It will probably give too great an advantage to the Indian candidates; and I do not know if a study of the vernacular would imply that amount of general culture (the ordinary spoken vernacular) which you are trying to test at the competitive examination.

10115. The position has been, of course, urged before us in evidence that, just as an English boy is allowed to take up a modern European language, French or Italian, so the Indian boy should be allowed to take up a vernacular other than his mother tongue?—I do not agree with that. In the first place, I know only my own vernacular, Bengali; and in that there

is literature growing every day in importance and certainly in size; but I do not know the vernaculars in other provinces. I do not know how far it is worth studying. I would not venture to make a suggestion with regard to them without knowing more about them.

10116. In answer to question (53), you express the view that recruitment for the Provincial Civil Service should not ordinarily be restricted to the residents of the province. Well, we have had a very strong body of evidence, so far as it has gone in India, which is almost unanimously in favour of restricting the recruitment for the Provincial Service to the residents of the province. I should like you to tell us your reasons why you do not consider that necessary?—I did that after a careful consideration, and I confess with some amount of hesitation; and my principal reason for saying that it ought not necessarily to be recruited from the residents of the province is this, that the more the people of the different provinces in this country mix with each other and work in provinces other than their own the greater will be the sense of unity between them, which, I think, is an end to be desired. I say there ought not to be a hard-and-fast rule of that kind.

10117. Of course, the result might be that the Provincial Service of some provinces, in fact of several provinces of India, would be recruited from the more advanced intellectual races such as the Bengalis and the Madrasis, and perhaps to some extent from the Bombay Mahratta Brahman, but the other provinces would be very largely shut out from their own Provincial Service?—I do not think, if proper safeguards are put as to the necessary qualifications for the purpose of entering into the Provincial Service, there would be any danger of that kind.

10118. It will be open competition?—Yes; but the subjects of the different vernaculars, and so on, might be included and marks so allotted that it would be necessary to be almost a native of the province before he could get employment there. Safeguards should be placed against that, of course; and I do not think that there is danger of the Bengalis and the Poona Brahmans and Madras Brahmans swamping these appointments, anything like so great as people imagine. I think the people in the other provinces, barring the places I do not know anything about, like the North-West Frontier, and so on, are taking advantage of the educational facilities which have been provided now very greatly, and in a very short time I think they will be quite able to take care of themselves against the Bengalis and the Brahmans.

10119. (Mr. Gokhale.) With reference to your scheme of what might be called modified simultaneous examinations, an objection has been suggested that under that scheme an Indian candidate might fail in England and then come here and appear again and that would give him a special advantage. Would it not be possible to get over this objection by so arranging the date of the Indian examination that it should not be possible for a candidate who fails in England to appear here?—Yes, it would you would have to make it within two weeks.

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10120. After the publication of the results there?—Yes, after the publication of the results there.

10121. So that it would not be a very serious objection?—No, it would not.

10122. As regards the proportion of one-third, of course you mean that the annual recruitment of Indians should be one-third of the total recruitment?—Yes.

10123. That would not mean that we should have straightaway one-third of the whole Civil Service?—No.

10124. How long would it take for one-third of the Civil Service to be Indian?—I think, to use a phrase of Sir Antony Macdonnell, it would take a whole official generation.

10125. About thirty years?—About thirty years I should think: quite that.

10126. You know the rules of 1879?—Yes.

10127. When one-sixth of the total recruitment was promised us?—Yes.

10128. And the rules were brought into force immediately?—Yes.

10129. They raised the proportion of Indians who got into the Service from about $2\frac{1}{2}$ per cent. to $16\frac{1}{2}$ per cent. I do not know whether you know the figures?—I do not exactly remember the figures, but it was something like that.

10130. Did you ever hear a complaint that too many Indians were being put into the Indian Civil Service then?—I did not.

10131. The complaint only was that the men selected were not good?—Yes.

10132. Now I come to the question of the irreducible minimum: you said that you agreed with the Secretary of State in what he has stated in his despatch forwarding the resolution on simultaneous examinations to India that there should be an adequate number of Europeans in the service. You notice that the Secretary of State uses the expression "adequate number"?—Yes.

10133. Not an irreducible minimum?—Yes, I believe I used those words "adequate number."

10134. I want to ask your opinion about that. I believe you are familiar with section 87 of the Statute of 1833?—Yes, I have read it several times.

10135. Do you not think that the laying down of any number as the irreducible minimum of Europeans in the Indian Civil Service would be in consistent with that section?—It is a very difficult question that you put to me. I know that a number of eminent lawyers, both Indian and English, have taken the view that the section makes it impossible to lay down the minimum for Indians or the maximum for Englishmen; if I were to give an opinion for myself I should require time to think it over; it is a very difficult question and I am not prepared to give an opinion offhand.

10136. In any case, in view of this difficulty you point out, would it not be more desirable that any number of Europeans that the Government might think to be necessary in the service should be secured by the practical working of any arrangements that are made than by laying down in black and white any definite proportion as the irreducible minimum?—Yes, as long as it was understood; the effect would be all that I desire.

10137. A suggestion has been made to this Commission that if section 87 of the Statute of 1833 stood in the way of such an irreducible minimum being prescribed, that section should be repealed: what do you think of that suggestion?—I think it would be disastrous; I think it would produce very grave discontent.

10138. Why?—Because it is considered the Charter so far as Indians are concerned, and the promise that race or colour or creed is not to be a bar to holding any office under the Crown, has created the greatest possible satisfaction amongst Indians. I think the consequences would be so grave that it is impossible to foretell what it might mean.

10139. And you would say the same thing of the Queen's Proclamation?—Undoubtedly.

10140. In reply to question (57), I see you express yourself entirely in favour of a complete separation of judicial and executive functions?—Yes.

10141. You do not mean of course that this separation of Judicial and Executive functions should take place only in the case of Provincial Civil Service officers?—No, I omitted to notice that that question related to the Provincial Civil Service. I intended that answer to apply to both. I have not yet seen there is a separate question in regard to the Indian Civil Service, but if there is, I intended that answer to be put there.

10142. You therefore are in favour of a complete separation of Judicial and Executive functions all through?—I am.

10143. And that has nothing to do with the recruitment of the Judicial branch of the service about which some questions have been put to you?—No.

10144. An impression was produced that the two things were interdependent in your scheme, but that is not so?—No.

10145. I should like to know clearly what you have in your mind about the recruitment of the Judicial branch. As I understand your scheme, if one-third of the Civil Service as a whole is offered to Indians, as you suggest, then you would not press for an immediate separate recruitment for the Judicial Service. Am I not right in that?—That is what I intended to say.

10146. But if the one-third is not offered, what is your alternative?—Then I should prefer the whole Judicial Service to be separately recruited for, and by that I mean both civil and criminal. Of course the Provincial Civil Service, that is to say, the subordinate, if I may so call it (I know the word is objectionable, but I mean the inferior service), both Civil and Judicial are now separately recruited, and I would extend that also to the superior Judicial Service, that is to say, the District Judgeships, and under my scheme all these classes of appointments—District Judges, Subordinate Judges and Munsifs, as well as Deputy Magistrates doing only criminal judicial work—would be separately recruited for as one service, Judges doing both civil and criminal work.

10147. This you would recommend if your proposal of one-third being given to Indians is not accepted?—Yes.

10148. Otherwise how would you stand?—Perhaps I ought to explain why I say that.

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I cannot help noticing what has been said, that it is with reference to executive appointments that the difficulty comes in of having a larger number of Indians than there is now. Personally I do not share the apprehensions that have been expressed with regard to it; but supposing those apprehensions are considered such that it is impossible to give effect to a scheme such as I have advocated for the admission of Indians into the Indian Civil Service as a whole, then I should say, at any rate with regard to the Judicial Service, it is admitted that Indians are at least as good; without comparison they are good. If they are good for the Judicial Service, then I ask that there should be a separate recruitment for the superior Judicial Service in the same way as there is now for the inferior Judicial Service, and that the Judicial Service should consist of men recruited for either by examination in England or selection in England from the Bar, similarly from the Bar here, and by promotion from the subordinate service.

10149. Have you formed any opinion yourself, and, if so, would you care to express it as regards the relative merits of the English and Indian members of the Indian Civil Service as officers?—Well, it is rather difficult to generalise in that way, but my own idea is that the average Indian member of the Civil Service is as good as the average English member of the Indian Civil Service.

10150. (Mr. Chaul.) Following up the same question of the separation of the Judicial and Executive branches, I thought you said you were in favour of the separation of the two, if your proportion of two-thirds and one-third was not accepted, for the two services?—Yes.

10151. Assuming for a moment that a scheme for the complete separation of the Judicial and the Executive were proposed, am I to understand that according to your proposal you would begin from the lowest grades? At present there are Magistrates of different classes who perform certain executive functions besides administrative duties: would it be a part of your scheme of separation that the criminal administration of justice should be taken away from the subordinate magistracy?—Yes; so far as they will be Judicial officers they will have no administrative work.

10152. Then as regards the functions that are at present performed by the different classes of Magistrates, would you utilise the present civil sub-judicial staff for the disposal of criminal work, or put in a separate class of officers for criminal justice only?—Of course there will have to be an increased Subordinate Judicial Service, because they will have to do both the civil judicial work and the criminal judicial work. I will make my meaning clearer probably if I illustrate it by a concrete example. I will take a particular district now where there are four Deputy Magistrates, as we call them, exercising magisterial powers, that is to say, working as criminal Judicial officers and doing revenue work also. If there is to be a separate Judicial Service doing both kinds of work, civil and criminal, out of the four that do both criminal and revenue work now, two will be left for the purpose of doing the revenue and administrative work, and two will be put into the cadre of the Judicial Service and be amalgamated with that service.

10153. In that way the cost will not be so great as it is thought?—I do not think it will.

10154. There is one objection which we have had mentioned in the evidence we have so far taken, namely, that if you did separate the two services in that way, then the revenue officer, who has at present these criminal powers, would be so handicapped in the performance of his revenue and other miscellaneous duties that it would be almost impossible to think of taking away those powers from him?—I cannot say that.

10155. Do you think the administration of those departments would suffer if that power was taken away?—On the contrary, I think it would improve.

10156. Would you say the same thing of the higher Magistrates, the Subdivisional Magistrates and the District Magistrates?—That is my opinion.

10157. You admit I suppose that the Collector or District Magistrate at present is, under the new scheme, responsible for the peace of his district?—Yes.

10158. Do not you think that for that purpose, in cases of emergency, he ought to have certain powers?—I do not know of any necessity for that. If by emergency is meant times of riot, mutiny, or anything like that, a state in which the ordinary law is suspended and martial law is in vogue, of course the head Executive officer of the district will have sufficient power to deal with that under the ordinary law.

10159. With regard to your scheme about the separate examination in India, I understand the examination in India you want to be a qualifying one, not necessarily a competitive one?—My scheme is for a competitive examination.

10160. But you say it should be laid down that there should be a minimum number of marks obtained?—Yes.

10161. Would not that be a qualifying examination rather than a competitive one?—If you call it a qualifying examination on that account, then of course it is qualifying, but I do not understand that that makes it any the less a competitive examination. What I mean is this. It would be open to the Government to say that any man who gets in must at least get, say, 2,500 marks, taking the average from the lists to ensure that he will be a superior man with superior intellectual acquirements.

10162. You have taken an instance of 60 vacancies and you have said that 20 should be reserved for Natives of India, and that if the list of successful candidates at the examination held in London includes 20 Natives of India, there will be no vacancy to fill up as the result of the examination in India, but that if it includes only five Natives of India there will be 15 vacancies to be filled up by the result of the examination in India, and that if there be none successful in England the whole 20 will be filled up from candidates in India; and you say that in the case of candidates appearing in India it should be laid down that there should be a minimum number of marks necessary to be obtained. Now, supposing more than 20 get above that minimum, what would you do with the rest?—Then it would be the first 20.

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10163. So that there is a chance of a man coming in the examination above the minimum and yet not getting in?—No; for the examination in India I say the minimum number of marks necessary to be obtained is so much, and anybody getting any marks above that will be eligible; but then as between those who are eligible you will determine who has got the largest number of marks in order to let them in.

10164. Then am I to understand that it is not a necessary part of your scheme that those who get the minimum number and do not succeed in getting into the Indian Civil Service should be utilised for any other services?—I have not suggested that in regard to the examination in India, but if it is considered practicable I know of no objection to it. I have not thought of it from that point of view.

10165. With regard to the question of the separation of the Judicial and the Executive, do not you attach some importance to what is known as the judicial frame of mind?—I do.

10166. Do you think that a person who passes ten or twelve years of his life in the Executive branch of the Indian Civil Service has no possibility of getting that judicial frame of mind? I may say that these questions are put with the view of obtaining an idea from you on what you take to be the time of bifurcation between the Judicial and the Executive?—I have heard it suggested that if you are too long in the Executive branch you get what is called an executive bias, and there is undoubtedly something to be said for that.

10167. Is it with reference to that that you have roughly settled the period of five years?—No, I cannot say it was. You have to fix a particular period and the earlier you do it the better, having regard to the fact that you have only a certain number of years which a man can put in.

10168. Do not you think that a knowledge of the miscellaneous work you are referring to in the departments would be acquired by an officer of the intelligence which success in an examination of that kind implies that three or four years would be enough?—Probably it would. I have put the figure at 5, but I do not lay any stress upon it. All I mean is, early in his career.

10169. Supposing it was suggested that it ought to be eight years, would you consider that to be too late?—It is a matter of opinion, I should think eight years would be too long, but I am bound to add that when Mr. Madge drew my attention to the fact that the Local Government Board considered nine years as the minimum period, I thought I should like to know why they say so before I could finally make up my mind with regard to it.

10170. Personally, I quite agree with you because I have seen instances of that bias. For instance you might convince a Magistrate that the statements of a witness to the police were absolutely inadmissible, and yet after labouring on the point for an hour I have heard a Magistrate ask me, "That is all right, but how can I help knowing that that was the first thing?"—I can quite understand that.

10171. With respect to simultaneous and separate examinations, you attach some importance to the fact that some disappointment would be caused because of a large number of candidates appearing for the examination and not getting through?—I said it might be caused.

10172. But so far as such discontent may be caused would not that be a point to be considered?—Of course it will cause disappointment when people do not get in, but what I was asked was whether it would produce a feeling of injustice or unfairness, and I said it might, but I did not personally think it would.

10173. I did not go so far as unfairness, but if for the next ten years a large number of Indian candidates appeared at the Indian examination and failed, then would not the discontent produced in the minds of these young men who try and fail be a source of unrest?—I do not think it will have any such serious consequence as that.

10174. Assuming there will be some discontent, do not you think it would be better to have discontent among those who appear in England and fail there than amongst those who appear here and fail here?—Yes, or not being allowed to appear at all; that is a much more serious objection.

10175. Do not you think that in the period which it will take to work up to your irreducible minimum, which you calculate to be about one generation, the English door will be wide enough to admit the requisite number of Indians?—I doubt that very much.

10176. Do not you find that a larger number of people are now getting in by the examination in England?—Yes, a larger number of people are appearing.

10177. Do not you find that officers of the Government send their sons for education in England?—Very few.

10178. But very many more are alive to it now than they were ten or fifteen years back?—There are more people doing that now than there were a few years ago, but the number is very small.

10179. You do not think that, calculating it in that way, 30 years would give you the number you require?—I think it is impossible.

10180. (Sir Theodore Morison.) May I ask you a little more about this alternative scheme? Do I understand that if the recruitment of the Judicial branch is entirely separate you would not make any alterations with regard to the admission to the Indian Civil Service?—Yes; that is so; the Judicial appointments would practically resolve themselves into District and Sessions Judgeships being taken away from the appointments scheduled under the Act of 1858. If you take away the District and Sessions Judgeships from that and the Indian Civil Service is recruited for as it is, I shall have nothing to say to that.

10181. It would be really for the Executive Branch only?—Quite so.

10182. Would you leave it as it is?—Yes, one examination in England open to all His Majesty's natural-born subjects.

10183. Would you press for these 100 scholarships under those circumstances?—No.

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10184. With regard to that, I understand you would leave it exactly as it is?—Quite so.

10185. Only the number of posts would be smaller because the Judicial appointments would be withdrawn?—Yes.

10186. How would you recruit for this Judicial branch?—I would recruit it in three different ways, that is to say, by either examination or selection in England; I would have the whole number competed for in all these places but keep a few for the Subordinate Judicial Service for promotion from the Subordinate Service.

10187. Like the listed posts?—Yes, analogous to that, and the rest to be appointed in England as well as in India. The particular method by which the appointments are to be made may be either competitive examination or selection. If we could get the High Court Judges in England to assist us to select men from the Bar, I would welcome such a process of selection, but there might be difficulties with regard to that.

10188. You would appoint from the Indian Bar?—Yes, both Barristers and Pleaders.

10189. There would be a certain number promoted from the Provincial Civil Service and a certain proportion from the Barristers and Vakils at the Indian Bar, and also a certain proportion appointed from England?—That is so.

10190. Of course you prefer your own plan, but you yourself would accept this as a tolerable equivalent?—I think on the whole this would be probably more acceptable to both sides than the one I have suggested.

10191. And you put it on the ground of the approved merit of the Indian Judge?—Yes.

10192. There is no risk in his case?—There is no risk.

10193. And the efficiency of the Indian administrator?—With regard to that questions have been raised and apprehensions are entertained, but there is no such apprehension with regard to the Judicial.

10194. The reputation of the Indian Judges has not been questioned?—No.

10195. Do you think that in Bengal generally this would be accepted?—That is my belief, and I have every reason to think so.

10196. You yourself would accept it?—For myself I would accept it.

10197. I see you insist on residence in England for Indian probationers?—Yes.

10198. Would you mind answering a very general question? Do you think from your experience in Bengal that the Indians who have gone to England have been superior on the whole to those who have not gone to England? Among the half dozen first-class men you have known, the very best men, what proportion has been to England?—I could not answer that; I could not fix the proportion.

10199. But it would include some of the men who had been to England, would it not?—If I may answer the question in a very general way, I think residence in England does give us Indians a wider outlook than if we had not gone to England. I find myself

that in most matters they take a broader view than those who have not been to England. Of course I do not mean to be offensive in any way to those who have not been, but that is my belief.

10200. I only asked the question because the evidence in Madras was in a somewhat contrary direction?—My belief is as I have stated.

10201 (*Lerd Ronaldshay*.) You mentioned the institution of simultaneous examinations in this country and said that you did not anticipate for many years the introduction of a larger number of Indians into the Civil service, but you contemplate the possibility of their finding their way in?—The bare possibility

10202 But still it is conceivable?—It is very difficult to express it.

10203. There is the bare possibility: that is all I want for my purpose?—Yes.

10204. If these simultaneous examinations were instituted in this country, and if the bare possibility became a fact, would it not be almost impossible to make any alteration in the system with a view to limiting the number of successful Indian candidates?—It would be very difficult if the bare possibility became a fact—an eventuality which I do not anticipate

10205. I am assuming that. You think it would be really practically impossible?—Yes.

10206. Assuming the existence of that bare possibility, is not that a very grave objection to the institution of a system of simultaneous examinations in this country?—Yes, only I have endeavoured to express my opinion with regard to that bare possibility. I say there is a bare possibility, though I cannot conceive its ever being turned into a fact.

10207. I only wanted to bring out the difficulty of doing anything afterwards?—Perhaps I ought to give my reason why I say that. I know the calibre of the Indian boys, and I think I know the calibre of the English boys, and having regard to the calibre of both classes of boys, and the educational facilities in England and the want of educational facilities in India, I think when I say there is a bare possibility I am really understating the case. I think it is practically impossible that an Indian boy under those conditions would have much chance or any chance of success against an English boy.

10208. I quite agree with that, but so long as the bare possibility exists, that possibility does constitute a grave objection to the institution of that system?—That apprehension has to be allayed.

10209. With regard to your alternative scheme in which you suggest that a fixed number of vacancies every year should be set aside for Indians and be filled if possible by Indians passing through the English door, and if not by a subsequent examination in India to make up the deficit, I think you said in answer to Sir Valentine Chirol that Indian candidates who had failed to get in by the English door would be able to repair to India and then get in by the Indian door. In answer to Mr. Gokhale you stated that it would be possible to avoid that by having the Indian examination taking place almost immediately after the English examination. Would not that be impracticable?

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Who is going to set the Indian examination papers?—As I said, it would be the Civil Service Commissioners.

10210. But must not these men have some time after the English examination in order to draw up their examination for India?—Is that an insuperable difficulty? That will probably require another set of men being employed beforehand and being told to have the questions ready.

10211. I am suggesting to you that there would be practical difficulties in the way of holding a subsequent examination in India very soon after the examination in England. Let me now suggest another difficulty. Until you have had your examination in England you do not know how many vacancies you will require to fill up in India. It is conceivable there might be no vacancies, and therefore no Indian examination. Would not that be a great hardship on Indian students who, having put the finishing touches on their training for the examination, discover at the last moment that the examination is not to take place? Would it not be necessary to have a considerable interval, say six months or something of that kind, between the examination in England and the examination in India?—Those details would have to be worked out, but even if there is some slight disadvantage we would have to put up with that for the sake of the advantages in other directions.

10212. Unless you can get over the practical difficulties of holding your Indian examination almost immediately after your English examination your scheme will be open to the objection that Indians, who have been defeated in the English examinations by English candidates who have not been able to get into the service because they were below other Englishmen, will come out to India and might get into the service through the Indian examination; that is to say, an Indian who had been defeated by an English candidate would get into the service, whereas the English candidate who had defeated him, but who had not acquired sufficient marks to get in, would be kept out of the service?—I do not think it would be a very grave evil, because it may be that a man who is defeated in an examination to-day, if he were to have the chance of going up for the same examination to-morrow, would pass it, and pass it better than those who had defeated him on the previous day. Where is the evil in giving this man two chances?

10213. But you are giving the Indian two chances and the Englishman only one?—The Englishman has the next year.

10214. You mean that the Englishman has the same chance next year?—Yes.

10215. Let us assume that. Assume that the Englishman has a second go next year and gets in and finds himself below an Indian whom he had defeated the year before. Does not that seem rather an anomalous position?—No doubt, but can you pin your faith to that extent on a competitive examination, that because A defeats B to-day therefore for all time A must be put down as a superior man to B? Why make an assumption of that kind?

10216. The assumption would be the other way in this case. With regard to your

objection to the system of listed posts, I understand your main objection is that under that system men who get into these posts are too old to do themselves justice or to benefit by their having risen to those posts. Do you think it would be possible to draw up a scheme under which picked men from the Provincial Civil Service might be appointed to listed posts after eight or ten years' service in the lower grades?—It would be better than the present system; it would give them a chance of getting into the higher service earlier in life, and they would have a better chance of adapting themselves to their new social status.

10217. Do you think there would be any grave difficulties in the way of such a scheme?—Except that they would never be absolutely equal to their English colleagues in the service. Unless they belonged to the same service, it is impossible to create that feeling of equality which is what I prize above all.

10218. But if it were possible to introduce a scheme by which picked men from the Provincial Service are given listed posts after eight or ten years' service, that is to say, at the same period of their service as Indian Civilians rise to superior posts, and if the men who had reached these listed posts were then to be enrolled in the same service as the Indian Civilians, would that get over your difficulty, and would that be accepted by Indian public opinion as satisfactory?—I do not think so.

10219. You think not?—I think not. In the first place, would you propose that they should have the same pay as members of the Indian Civil Service?

10220. On my assumption, yes?—That would remove some portion of the distrust or suspicion with which they would be looked upon, but even then I doubt whether the social position would be the same. It is not merely pay that makes the social position. They would not have the same social position as a member of the Indian Civil Service in the same appointment.

10221. Even if they were enrolled in the service?—By being enrolled I take it you mean by being given the same pay?

10222. Let me give you an analogy. Men from the subordinate service are to-day promoted to the Provincial Service, and I assume that when they have been once promoted to the Provincial Service they are not regarded as being inferior?—They are regarded as being inferior to members of the Indian Civil Service in the same appointment.

10223. Am I to understand that the men who are promoted from the subordinate services to the Provincial Civil Service are regarded as being on an inferior plane to the men who had been recruited direct to the Provincial Service?—No, I do not mean that.

10224. That is my analogy. If it is possible to promote men from the subordinate service to the Provincial Service without the charge of their being on an inferior plane, would not it be equally possible to promote men from the Provincial Service to the Indian Civil Service if you enrolled them in the cadre of the Civil Service without these men being regarded as inferior?—I rather think not, because the Indian Civil Service is looked upon as the ruling

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caste, so to speak, and it is difficult to admit anybody into that caste except through the ordinary door of admission. It is that which creates their position and that which gives them the status.

10225. Then the whole difficulty really is the door by which you get into the service, not the fact that you are in the service?—And the position, pay and privileges incident to it.

10226. If the pay and privileges are conceded, would not the promoted man from the Provincial Civil Service be regarded as on the same plane?—He might in time, just as you can admit a Member of the House of Commons into the aristocracy; but I take it in the beginning he would be looked upon more or less as an interloper. But I am speaking without experience in that matter.

10227. You are thinking of the promotion of a Member of the House of Commons to the House of Lords?—To some extent.

10228. In your answer to question (37) you suggest that the officers who are selected for the Judicial branch of the service should be given a period of training as Munsifs and as Subordinate Judges. The objection to that which occurs to my mind is that if you are going to take men from outside the Judicial branch of the Provincial Service and give them the duties of Munsifs and Subordinate Judges you are going enormously to block promotion in the lower grades of the Provincial Civil Service, are you not?—No, I do not think so. In the first place the number of Indian Civilians working as Munsifs and Subordinate Judges would not be very great, as compared with the number of Munsifs and Subordinate Judges doing the ordinary work.

10229. Can you tell me how many Subordinate Judges you have in Bengal?—No, I could not give you the number, but I should think there would be about 50.

10230. (Mr. Sen.) There are 42?—Yes, there is about that number; I do not think that is very far out.

10231. (Lord Ronaldshay.) How many of these men undergoing training do you contemplate would be acting as Subordinate Judges at one time?—I suppose it would be four or five at a time, certainly not more.

10232. Then you have to take those off the present men?—Yes.

10233. Surely that would make a good deal of difference?—That would be a very small matter; it need not block their promotion at all.

10234. I quite accept your view on that point; I am only asking for my own information?—That is my idea.

10235. (Mr. Bompas.) I think there was a slight misunderstanding at the end of your examination by Mr. Macdonald. When you object to the combination of judicial and executive functions, I think you do not object to the same officer doing settlement work and then becoming a Collector and eventually becoming a Judge?—No.

10236. You object to the District Magistrate exercising judicial and executive functions at the same time?—Yes.

10237. Taking your proportion of one-third Indians and two-thirds Europeans, that is, for

the Imperial Service for the whole of India?—Yes.

10238. Would you preserve that ratio in the different provinces, that is to say, would you always send one-third Indians among the newly recruited Indians to every province?—Not necessarily.

10239. That is not an essential part of your scheme?—No.

10240. You might get more than one-third Indian officers in some provinces?—Yes. The Local Governments would be the best judges as to how many Indians they could take in that particular province, having regard to the requirements of the particular provinces and the particular districts.

10241. Would you pay any attention to the province from which a recruit came in posting him?—I think so. Ordinarily I would post him to his own province because he is likely to be more useful there.

10242. So as to have the advantage of his knowledge of the people and the language?—Certainly.

10243. That is to say, it would be a matter of chance after the examination what percentage of Indian officers were actually engaged in the Civil Service in any province?—When you say it would be a matter of chance, I would point out that it has to be determined by selection as to what particular officers are to go to what provinces. That must be a matter of choice either on the part of the candidate or of the Government. It may be necessary to override the candidate's choice for reasons of State and not give him the province he wants, supposing he happens to be unsuitable for that province; it might be necessary to give him a province which he does not want but for which the Government thinks he is suitable.

10244. Still it is a great waste of possible efficiency if you send an officer who knows the language and customs of one province to another part of India?—There is hardly any scheme which has not some disadvantages. You cannot have a perfect scheme.

10245. But you would favour his going to his own province if possible?—I would.

10246. Would you say that an officer from another province would be at a disadvantage as compared with an officer from the same province, in the influence he would be able to exercise over the people?—In some respects possibly he would.

10247. Take an ordinary Bengal district now, and assume that a Bengal Magistrate or Judge is as welcome or more welcome than an English Collector or Judge: do you think there is any reason to suppose that the mass of the people would prefer a Punjabi or a Madrassi Collector to an English Collector?—I have no reason to suppose they would.

10248. (Mr. Mukherji.) With regard to your scheme for the recruitment of the Indian Civil Service, you have taken away the listed posts, and you admit also that it will take an official generation, say 30 years, to work up to your one-third of the posts reserved for Indians. In the meantime what would you give to the Provincial Civil Service to compensate them for the loss?—I take it they will have some compensation, but I am not prepared to say what the

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exact proportion would be or what the exact number of appointments would be that would remain listed. I have not thought that out, but it will have to be considered of course.

10249. You say that the appointment of Provincial Civil Service men to the listed posts has not been always successful, and you attribute it to the fact that they have been selected at far too advanced an age?—Generally speaking, yes.

10250. Do you think that it has often failed owing to the appointment of unsuitable men? Do you consider, from your experience, that the men who are appointed are generally suitable?—My own idea is that they are generally suitable.

10251. You think then that age is the bar?—I think so. Generally speaking, they have been fairly good men.

10252. In answer to question (51) you say that after reserving a certain number of appointments for nomination the rest should be thrown open to competition. Would you fix the proportion?—I should not like to lay down any proportion, not having sufficient data before me to do so. I mean that only a small proportion should be left for nomination.

10253. Up till lately there was a competitive examination in the Executive branch of the Provincial Civil Service, was there not?—Yes.

10254. Have you any idea of the men who entered by that door?—Yes, I have known them personally, and I have also heard of them through their fellow members in the service and also from their official superiors, and I have heard very good accounts of them.

10255. Do you think that that was distinctly a good system?—So I believe, and so I have been always told.

10256. With reference to your answer to question (50), you say there are too few posts in the superior grades of the Provincial Civil Service; I am referring to the Executive Branch—the Deputy Magistrates. They now rise to Rs. 800, which is their top grade. Sub-Judges have Rs. 1,000. Do you think that the Magistrates require a grade or two grades above Rs. 800?—I think so. That is what I meant when I said that.

10257. You think the number of men in the grades at present is far too few?—Far too few.

10258. (Mr. Sen.) You have already expressed an opinion that the work of Munsifs and Sub-Judges as a class is extremely satisfactory. You also say that there are too few posts in the superior grades, and that the number should be increased. You are further of opinion that the present scale of salaries was fixed many years ago, and that it urgently requires revision in order to enable Provincial Civil Service officers to live according to their position. Do you think that the Provincial Civil Service Judicial officers as a class are very hard-working officers?—Yes.

10259. And the duties they have to perform are of a very responsible character?—They are.

10260. In consideration of their work, do not you think they are deserving of sufficient encouragement in respect of their pay and prospects in the service?—Most certainly I do.

10261. Are you aware that there is great congestion in the service, especially in the

intermediate grades, and that promotion is very slow on account of that?—I have heard so.

10262. If that is so, are you in favour of a time-scale which would remove the cause? At present promotion depends on uncertainties, on casualties, death, retirement, etc.?—I do not feel competent to give an opinion with regard to that.

10263. You have not thought about it, probably?—No.

10264. You have mentioned a scheme by which a definite proportion of vacancies in the Indian Civil Service should be filled by "Natives of India," and in that case you propose to abolish the listed posts, but of course the interests of the present members of the service should be sufficiently safeguarded?—Of course.

10265. Even if the listed posts are abolished you say that the Provincial Service men should have some sort of outlet in order that they may be promoted to listed appointments?—Yes, the power of the Government should be retained for that purpose.

10266. But supposing your scheme is not accepted, then you think that Barristers and Vakils of the High Court may be appointed to District Judgeships?—Yes, subject to what I have said in answer to Sir Theodore Morison with regard to the other scheme about separate recruitment for District and Sessions Judgeships.

10267. But you think some Barristers and Vakils should be also promoted to District Judgeships?—Yes.

10268. At present you know some of the District Judgeships are open to members of the Provincial Service?—Yes.

10269. And you are also of opinion that members of the Provincial Service who have been appointed as District Judges have worked very well?—Yes.

10270. Do you not think that in the interests of that service a fixed number of District Judgeships should be always reserved for members of that service?—I do not know about being always reserved, but I have said there ought to be the possibility of promotion from the Subordinate Judicial Service to the higher Judicial Service, that is to say, from Subordinate Judges to the posts of District and Sessions Judges.

10271. But then if Barristers and Vakils are appointed, that may have the effect of reducing the number of Judgeships at present allotted to the Provincial Civil Service men, and unless some appointments are set apart for the service, it may have the effect of depriving them of such appointments?—I should be content to leave that to the High Court, who would have the selection. If they could get a better man from the Bar than the Subordinate Judicial Service man, I would leave it open to the High Court to select from the Bar. Whoever the selecting authority is it should be free to select either from the Bar or from the Subordinate Judicial Service.

10272. Are the listed posts now open to the Provincial Judicial Service sufficient in your opinion? I should say that the present number is about four out of 31 Judges, including the Legal Remembrancer?—If there is no alteration in the scheme for the Indian Civil Service, I think the Provincial Judicial Service men ought

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to have a larger number of the appointments listed.

10273. You seem to be of opinion that the present practice of appointing Sub-Judges to District Judgeships at the close of their official career is not sound?—That is so.

10274. Possibly you think it desirable that Sub-Judges should be appointed District Judges at a much younger age?—Yes.

10275. If the present method of recruitment of District Judges from members of the Indian Civil Service be materially improved, and in view of the fact that there is a highly efficient class of Judicial officers in Bengal who have been already recruited from the Bar, is it at all necessary that District Judgeships should be recruited from members of the Bar?—I think so even then. The infusion of fresh blood would do good.

10276. Why do you insist on filling District Judgeships from members of the Bar?—As I said just now, the infusion of fresh blood would do good.

10277. Probably it is the English system, that all Judges are recruited from the Bar?—That is so.

10278. But at what age are they appointed?—They are recruited at a very old age as a reward for meritorious services at the Bar.

10279. And at what age are County Court Judges recruited generally?—Even County Court Judgeships, as far as I know, are not given to a man before he is of a good many years' standing at the Bar.

10280. Do you think that Barristers also should be of that standing before they are appointed District Judges?—Having regard to the circumstances of this country, if you insisted on the same age-limits, it might frustrate the scheme altogether.

10281. Do you know the Continental system?—I do not know.

10282. My information is that in Germany and other European countries the English system does not prevail, but that some such system analogous to the system in this country prevails?—You may be right.

10283. Then why should there be any change?—I am not suggesting a change.

10284. If Barristers come in then they intrude upon the District Judges and the Provincial Judicial officers?—Barristers and Vakils are appointed to High Court Judgeships now; and if they are good enough for High Court Judgeships then they are good enough for District Judgeships.

10285. I am not questioning their qualifications, but asking why should another class come in? In Continental countries such a system does not prevail. Why should outsiders come in at all?—The question is which is the best method of getting the best men for the service. If you do not get the best men by selection from the Bar, I should be the last person to advocate it.

10286. You are getting the best men from the Indian Civil Service and from the Provincial Civil Service?—And to have another class from which selection may be made would enlarge the area of selection, and thereby increase

the chances of getting the best men for the service.

10287. You say in answer to question (24) that you think it essential that men holding posts equivalent to those ordinarily held by members of the Indian Civil Service should have their social position and surroundings as nearly as possible the same as those of Civilians. I do not quite understand that. Do you mean to say that they should live in European style?—If possible, I should prefer it, but I am not suggesting that it should be made compulsory.

10288. But you prefer that they should live in European style?—Speaking for myself, I should prefer it.

10289. Do not you think that once an officer of the Provincial Civil Service is raised to the position of a District Magistrate or District Judge, his social position is assured?—I do not think so from what I have seen.

10290. As soon as a man is a District Judge or District Magistrate, his social position among his own community and others is assured by the very fact?—That is not my experience.

10291. What is the relation between the capacity of a man as a Judge and his particular style of living?—Not in his work as a Judge, but in the confidence which he inspires in those amongst whom he has to administer justice.

10292. Do not the Indian High Court Judges who are recruited from the Vakils live generally in Indian style?—Yes.

10293. Do not you consider them very eminent men in their line?—Yes.

10294. Are they inferior to any of the English Judges or any Judges living in European style?—I do not think so.

10295. You wish that the social position and surroundings of Indian District Judges and Magistrates should be as nearly as possible the same as those of Civilians: why do you then recommend that they should get two-thirds of the pay that is drawn in the same posts by members of the Indian Civil Service?—Because I have not heard that they complain about the pay.

10296. But why should they get only two-thirds of the pay if their position is the same?—If we cannot get the same class of men as now for two-thirds of the pay, it would be necessary to give them the full pay, but I have not heard statements that the two-thirds pay is complained of, and it seems to me it is possible to get these men for the two-thirds, and they are able to live on the two-thirds according to their position.

10297. Do you not think that pay means prestige, and that if you give a man Rs. 2,000 and another Rs. 1,200 that very fact means loss of prestige?—It does to some extent.

10298. If you wish that the same social position and standing should be maintained, probably you would be prepared to advocate that they should get equal pay?—It would be better from that point of view, the point of view of keeping up their position and prestige, that they should have the same pay.

10299. You say that the Provincial Civil Service men holding listed posts are at present too old to adapt themselves readily to their new position?—Yes.

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[concluded.]

10300. Will you tell me whether it is not the rule in England that elderly men are generally appointed as Judges in that country?—They are.

10301. Are not age and experience good recommendations for the position of a Judge?—Undoubtedly.

10302. Do you think that the appointments of men like Mr. Justice Sarada Charan Mitter and Mr. Justice Lal Mohan Das at the age of 55 or 56 as Judges of the High Court was objectionable from the standpoint of efficiency?—No.

10303. Do you not admit that if a man is appointed a District Judge after he is 54 or 55 years of age, that does not make him a less efficient Judge than a District Judge who may be appointed at a comparatively younger age?—Perhaps I have not made my meaning clear. It is because they are appointed from an inferior service in which they have occupied positions until they have grown old, so that when they are transferred to the superior service they are not able to maintain that position of equality in relation to the members of the Civil Service; that is where the difficulty comes in.

10304. That is because, as you have said in reply to Lord Ronaldshay, the Civil Service forms a "caste" in themselves, and will not allow anyone to come in unless they come in through the same door?—That partly is the reason.

10305. So that even if they get Rs. 2,000, they will not be admitted into the "caste"?—And it is partly the inability of the men who are promoted at an old age to assert and maintain that position of equality which they have at last obtained.

10306. I should rather think that a man who became a Judge at the age of 54 or 55 became the loser because he could not stick to the service for a sufficiently long time?—He is a loser of course if he cannot remain in the service very long, but the analogy which you were pleased to mention between the Judges appointed to the High Court and the Judges appointed as District Judges from the Provincial Service does not hold good to my mind. A man appointed to the High Court has never held that inferior position that a man in the Provincial Civil Service has held.

10307. Do you mean to say that a Vakil before being appointed a Judge occupied the same position as a Judge of the High Court?—He had no reason to consider himself inferior.

10308. Does the public think that a Vakil occupies the same position as a Judge of the High Court?—No.

10309. The Provincial Service officer who gets Rs. 1,000 salary is made a District Judge after so many years' service?—I do not think the public look upon the Vakil as inferior to the High Court Judge in the same way as they look upon the Munsif or the Subordinate Judge as inferior to the Civilian District Judge.

10310. I see you have recommended that there should be a separation of the Judicial and Executive functions?—Yes.

10311. If that is accepted, do not you think it would be desirable that there should be one class of Provincial Judicial officers in the country exercising both civil and criminal powers, or in other words that the Provincial Judicial Service, including the Deputy Magistrates, also should form one service under the administrative control of the High Court?—That is what I have said.

10312. You have said there may be a competitive examination for Munsifs, but at the same time you have said that unless there is a reason for that change you would not advocate it. If I tell you that during the last four or five years, of those who have been appointed as Munsifs more than fifty per cent. are M.A., B.L.'s, some of them having passed the B.L. examination in the 1st division, do you even then think that a competitive examination is necessary? In fact the High Court is taking the pick of the University?—I believe I said I had no reason to think that the present system is not working satisfactorily, and unless there is reason for a change, I would not advocate any change.

10313. (Sir Valentine Chirol.) I want to clear up one rather technical point with regard to social status which arose out of Mr. Macdonald's examination. Is not the list of social precedence about which we have heard based entirely upon the equality of the posts and not upon the equality of the holders, that is to say the social status is decided by the post and not by whether the holder of that post came from the Provincial Civil Service originally or by whether he is a Civilian?—I have not studied the warrant of precedence very much, but I believe there is precedence given to holders of a particular office, and that members of the Indian Civil Service have a particular order of precedence according to the number of years' service they have put in, but where precisely the one or the other comes in I do not remember exactly.

(The witness withdrew.)

KIRAN CHANDRA DE, Esq., I.C.S., Magistrate and Collector, Rangpur.

Written answers relating to the Indian Civil Service.

10314 (1). What is your experience of the working of the present system of recruitment by open competitive examination for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—The present system of open competition is working quite satisfactorily. I accept the principle of competition in recruitment as the only sound and equitable one.

10315 (2). In what respects, if any, do you find the present system faulty in detail, and

what alterations would you suggest?—See answer to question (7).

10316 (3). Is the system equally suitable for the admission of "Natives in India" and of other natural-born subjects of His Majesty?—The system is quite suitable for Natives of India as well as others, and I do not recommend any separate or special facilities or qualifications for either class.

10317 (4). Further, is any differentiation desirable between other classes of natural-born subjects of His Majesty?—No differentiation is desirable.

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10318 (5). Do you consider that the combination of the open competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Service is or is not to the advantage of Indian interests? Please give your reasons?—I do not think that the combination at all affects the Indian interests.

10319 (6). If you do not consider the present system of recruitment by an open competitive examination to be satisfactory in principle, please state what alternative you would propose. Do you recommend a system based on any of the following principles:—(a) Selection by head masters of schools approved or otherwise: (b) Selection by authorities in Universities approved or otherwise: (c) Nomination by head masters or University authorities and selection under the orders of the Secretary of State: (d) Combined nomination and examination: (e) Any other method?—See answer to question (1). I consider open competition to be the best method of recruitment and deprecate all the systems marked (a) to (e) in this question.

10320 (7). What is your opinion regarding a system of simultaneous examination in India and in England, open in both cases to all natural-born subjects of His Majesty?—I approve of a simultaneous examination in India and England, with the same questions and the same examiners and a combined list of results for both centres, Indian and other candidates being allowed freely to the examination at either centre, but with the condition that candidates selected at the Indian examination should be called upon to proceed to England and reside at an approved University for at least three years, and to take a degree there.

10321 (8). Are you in favour of holding this examination simultaneously at any other centre or centres within His Majesty's dominions?—No.

10322 (9). What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service cadre by "Natives of India" recruited by means of a separate examination in India or by means of separate examinations in each province or group of provinces in India? If so, what proportion do you recommend?—I do not recommend these proposals.

10323 (10). If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which "Natives of India" would be selected in India for admission to the Indian Civil Service by means of (a) nomination, (b) combined nomination and examination, or (c) any other method? If so, please describe fully what system you would recommend. In particular, do you consider it desirable that whatever the system, all classes and communities should be represented? If so, how would you give effect to this principle?—I approve of simultaneous examinations.

10324 (11). If you are in favour of a system for the part recruitment of the Indian Civil Service by "Natives of India" in India, do you consider that "Natives of India" should still be eligible for appointment in England, or would you restrict that right to other natural-born subjects of His Majesty?—I approve of simultaneous examinations.

10325 (12). Would you regard any system of selection in India which you may recommend for young men who are "Natives of India," as being in lieu of, or as supplementary to, the present system of promoting to listed posts officers of the Provincial Civil Services? If the former, what alteration, if any, would you recommend in the conditions governing the Provincial Civil Services?—If the system of simultaneous examinations be adopted, I do not think it is at all necessary to throw open any listed posts to the Provincial Civil Services. Indian youths of ability and promise could compete for the Indian Civil Service examination. If they fail or do not go up and then enter the Provincial Civil Service, they cannot justly look forward to preferment to any of the listed posts.

10326 (13). Do you recommend any separate method of recruitment for the Judicial branch of the Indian Civil Service? If so, please describe the system that you would propose?—No separate method of recruitment is desirable, but separate training seems necessary. See answers to questions (64) and (65).

10327 (14). Are you satisfied with the present definition of the term "Natives of India" in section 6 of the Government of India Act, 1870 (38 Vict., c. 3), as including "any person born and domiciled within the dominions of His Majesty in India, of parents habitually resident in India, and not established there for temporary purposes only," irrespective of whether such persons are of unmixed Indian descent, or of mixed European and Indian descent, or of unmixed European descent? If not, please state fully any proposals that you wish to make in regard to this matter?—The present definition is satisfactory.

10328 (15). If the system of recruitment by open competitive examination in England is retained, please state the age-limits that you recommend for candidates at such examination, giving your full reasons. Do you consider that the age-limits should be fixed to attract candidates of the normal school-leaving age in England, or candidates who have completed a University course, or candidates at an intermediate stage of education?—I have advocated above simultaneous examinations in India and England. For both the simultaneous examinations and the single examinations in England, I think the age-limits should be over 17 and under 19 on the 1st January. This age will suit all candidates, Indian and European, both in India and in England, and will give ample opportunity for embracing any other career in cases of failure. To obviate entering on their duties in India at too young an age when they would be unfitted for the onerous tasks of administration, I would recommend that after selection every candidate should reside at an approved University in the United Kingdom for a minimum period of three years and read for and take a degree, preferably one in law. This will give the necessary finish to the education, widen the mental horizon, and develop those qualities of intellect and emotion which are so essentially necessary for the sound administrator. I would not stand in the way of a fourth year's detention in England if considered necessary for specializing in Indian language and law.

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10329 (18). What is the most suitable age at which junior Civilian should arrive in India?—About 21 years.

10330 (19). What age-limits for the open competitive examination in England would best suit candidates who are "Natives of India," and for what reasons? Do you recommend any differentiation between the age-limits for "Natives of India" and for other natural-born subjects of His Majesty?—Please see answer to question (15). I recommend no differentiation in any particular between "Natives of India" and others.

10331 (20). On what principle should the subjects for the open competitive examination be fixed? Do you accept the principle laid down by Lord Macaulay's Committee in 1854, and since followed, that "the examination should be of such a nature that no candidate who may fail shall, to whatever calling he may devote himself, have any reason to regret the time and labour which he had spent in preparing himself to be examined," and that the object should be to secure, not specialists in any particular subject that may be useful in a subsequent Indian career, but the ordinary well-educated young man of the period?—I agree to the principle laid down by Lord Macaulay's Committee.

10332 (21). Please examine the table in Appendix I to these questions, which shows the various phases of the authorized syllabus of the open competitive examination, and state what changes, if any, are in your opinion desirable, differentiating between the cases of candidates (a) of school-leaving age, and (b) of University-leaving age?—The subjects and marks in each that I would recommend are given below: of these English composition should be compulsory—

| Subjects. | Marks. |
|--|-----------|
| (1) English composition (compulsory) .. | 500 |
| (2) History of England .. | 500 |
| (3) History of India .. | 500 |
| (4) English literature .. | 500 |
| (5) Greek .. | 600 |
| (6) Latin .. | 600 |
| (7) Sanskrit .. | 600 |
| (8) Arabic .. | 600 |
| (9) French .. | 500 |
| (10) German .. | 500 |
| (11) Mathematics (pure and mixed) | 1,000 |
| (12) Natural science: that is the elements of any two of the following sciences, viz., Physics, Chemistry, Botany, Zoology, Geology, Physiology .. | 600 each. |
| (13) Logic and Psychology .. | 600 |
| (14) Metaphysics and Ethics .. | 600 |
| (15) Political Economy and Political Science .. | 500 |

10333 (22). Is any differentiation in the subjects for the examination desirable between candidates who are "Natives of India" and other candidates?—I recommend no differentiation in any particular between Natives of India and other candidates.

10334 (23). Do you consider it necessary that certain posts should be reserved by statute for

officers recruited to the Indian Civil Service, and, if so, what posts and for what reasons? Please state in detail what alterations (if any) you recommend in the Schedule of the Indian Civil Service Act of 1861 (24 & 25 Vict., c. 54). [Attention is invited to the provisions of the Indian Civil Service Act, 1861 (24 & 25 Vict., c. 54) and of the Government of India Act, 1870 (33 Vict., c. 3), reproduced as Appendices II and III to these questions?—I consider it necessary that certain posts should be reserved for the members of the Indian Civil Service, for such posts require such proved ability and training as these members possess, and in order to make the service attractive. I would add the following posts to the Schedule to the Indian Civil Service Act of 1861:—Inspector-General of Police; Director of Land Records; Director of Agriculture; Commissioner of Excise; Chairman of the Calcutta Corporation.

10335 (24). Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the Civil Administration? If so, to what proportion of the posts included in the Indian Civil Service cadre do you consider that "Natives of India" might, under present conditions, properly be admitted?—No.

10336 (25). Do you accept as generally satisfactory in principle the present system under which "Natives of India" are recruited partly through the medium of an open competitive examination in England, and partly by special arrangement in India, in accordance either with rules framed under the provisions of section 6 of the Government of India Act, 1870 (33 Vict., c. 3), or with the provisions of the Indian Civil Service Act, 1861 (24 & 25 Vict., c. 54)? Do you recommend any alterations in this system, and, if so, what?—No. I recommend no recruitment to the Indian Civil Service except by open competition.

10337 (27). Have the "Natives of India," recruited by means of open competition in England, proved, on the average, as efficient as the European members of the Indian Civil Service of the same standing and recruited in the same manner? Has it been found possible and expedient to employ them in all branches of the Administration, whether on executive or judicial duties?—In my humble opinion, yes. Also yes, though unfortunately many of the prize appointments have been denied to them.

10338 (28). Do you consider that the old system of appointment of "Statutory Civilian" under the Statute of 1870 should be revived, and, if so, what method of recruitment would you recommend?—No. Recruitment by open competition should suffice for all purposes.

10339 (29). What experience have you had of military or other officers who have been specially recruited in India to fill Indian Civil Service posts, and how many such officers are employed in your province? Please distinguish in your reply between (a) military officers, and (b) others; and give details of the latter?—I do not think a mixed commission is at all desirable in Bengal.

10340 (30). Have such officers proved on the average as efficient as members of the Indian Civil Service filling posts of similar responsibility?

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Has it been possible and expedient to employ them in all branches of the Administration, whether on executive or judicial duties?—I do not think a mixed commission is at all desirable in Bengal.

10341 (31). If the system of recruiting military officers in India has been stopped, or has never existed in your province, would you advise its reintroduction or introduction, as the case may be, and if the system should be introduced or reintroduced, to what extent should it be adopted?—I do not think a mixed commission is at all desirable in Bengal.

10342 (32). Do you consider that such a system should be restricted to the recruitment of military officers or extended to the recruitment of selected officers from other Indian services?—I do not think a mixed commission is at all desirable in Bengal.

10343 (37). Does the system by which most of the inferior listed posts are merged in the Provincial Civil Service give satisfaction—(a) to the members of the Provincial Civil Service; and (b) to the public interested in this question; and what advantages, if any, does this arrangement possess?—I do not think that this arrangement gives any satisfaction to anybody. An officer of the Provincial Civil Service selected for the post of an Assistant or a Joint Magistrate would much prefer to be called an Assistant or a Joint Magistrate, though on reduced pay.

10344 (38). Is the class of posts listed suitable? If not, in what directions would you suggest any changes and why?—Please see answer to next question.

10345 (39). Have the officers of the Provincial Civil Service, selected to fill listed posts, proved on the average as efficient as members of the Indian Civil Service filling posts of similar responsibility, and has it been found possible and expedient to employ them in all branches of the administration?—In my humble opinion the answer to this question is in the negative. I would therefore recommend that these listed posts be abolished. The ambitions of the Indian youth ought to find legitimate satisfaction in the simultaneous examinations for the Indian Civil Service.

10346 (43). What is your experience of the results of the existing system under which successful candidates in the open competitive examination are required to undergo a probationer's course of instruction in England? Do you recommend the continuance or abolition of this system?—The results of the existing system have been very satisfactory and I recommend continuance of the system. Please see my answer to question (15).

10347 (44). What should be the duration of the probationer's course in England (a) under the present system of the open competitive examination, (b) under any modification of that system recommended by you?—(a) I do not recommend any alteration if the present age-limit remains. (b) Three years at least; may be four.

10348 (45). Do you consider it desirable that probationers should be required to spend their period of probation in England at an approved University?—Yes.

10349 (46). If so, do you advise the selection of one or more Universities for this purpose and for what reasons?—I recommend Cambridge or Oxford, because of the tone the students acquire there.

10350 (47). Do you consider that probationers should receive allowances during their period of probation? If so, please give the scale and conditions that you recommend?—Yes. I recommend £200 a year for the whole length of probation, paid quarterly, on the production of satisfactory report on conduct and progress from the tutor.

10351 (48). If you do not advise attendance at an approved University during the period of probation in England, what alternative course of study do you recommend?—I recommend residence in a University.

10352 (49). Would it, in your opinion, be desirable to establish a separate institution in England for this purpose, and, if so, under what conditions?—No.

10353 (50). If a probationer's course is continued in England, do you accept the principle laid down by Lord Macaulay's Committee in 1854, that successful candidates in the open competition should be considered as having finished their general education and that their future studies should be such as have a special tendency to fit them for their calling? Does your answer apply equally to candidates who pass the open competitive examination after leaving school and to those who do so after completing a University course?—No. I have above recommended reduction of the age-limit to 17 to 19. Under these circumstances, a candidate cannot be said to have completed his general education at that age. I would insist on his adopting a regular course of studies in the University and taking a degree, besides acquiring special knowledge to fit him for his future duties.

10354 (51). Please examine the statement printed as Appendix VI to these questions, showing the courses of studies prescribed for probationers in 1891 and 1912, and state what alterations (if any) you desire to recommend in the present course (a) under the existing system of the open competitive examination, and (b) under any modification of that system recommended by you?—(a) Under the existing system I would recommend no alteration except that Hindu and Muhammadan Law should be a compulsory subject; (b) under the system that I have proposed the same syllabus as mentioned in (a) above would be sufficient, it being understood that this examination would be in addition to the degree which the candidate must take.

10355 (52). In particular, please state your opinion as to the desirability during the period of probation of (i) compulsory attendance at Law Courts in England and reporting of cases; (ii) the teaching of Indian Law in addition to the general principles of jurisprudence; (iii) the teaching of the grammar and text books of Indian languages with or without any attempt at colloquial instruction; (iv) the teaching of (a) Indian Geography, (b) Political Economy, (c) Accounts?—(i) Desirable, (ii) essentially necessary, (iii) desirable, (iv) (a) desirable, (b) desirable, (c) necessary.

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10356 (53). Do you consider that the probationer's course of instruction can best be spent in England or in India?—England.

10357 (54). What is your opinion of a proposal to start at some suitable place in India a college for the training of probationers of the Indian Civil Service and possibly of other Indian services recruited in England?—Not desirable.

10358 (55). What is your opinion of a proposal that each provincial Government should arrange for the training of probationers by suitable courses of instruction for the whole or portions of the first two years of service at some suitable centre?—Not desirable.

10359 (56). In the report of the Treasury Committee appointed to consider the organization of oriental studies in London (1909), the view is taken that the preliminary training in Oriental languages and in law required by probationers can be given better in England than in India, because of the difficulties which junior Civilians would experience in learning these subjects in India, the lack of good teachers in Indian district headquarters, the difficulty of even good Indian teachers appreciating the European student's point of view, and the difficulty of arduous study in a tropical climate. Do you consider that these objections could be met by a suitable scheme of instruction in India?—No. They would get the best teaching in an English University.

10360 (57). If you have recommended the introduction of any scheme of direct recruitment in India for "Natives of India," whether in lieu of, or supplementary to, the system of recruitment in England, please state what system of probation you recommend for such officers?—I do not recommend recruitment by any method except open competition.

10361 (59). Do you consider that any differentiation is necessary during the period of probation between the course of study for probationers who are "Natives of India" and the course prescribed for other natural-born subjects of His Majesty?—No.

10362 (60). Are you satisfied with the present arrangements for the training of junior members of the Indian Civil Service after they have taken up their appointments in India?—Yes.

10363 (61). Is the existing system of departmental examinations suitable, and, if not, what change do you recommend?—Yes. The only change I would recommend is that an ampler knowledge of the vernacular should be required so that the Civilian could easily read and understand a vernacular newspaper.

10364 (62). Do you consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service? If so, what are the causes? Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages, and, if not, how could this best be remedied?—I think so. The causes are complex. The chief causes are that the English language has practically supplanted the vernacular in the work of administration, and the Indian population

have learnt the English language to much larger extent. No. 1 would demand a much higher standard for the departmental examination. This could be attained by regular perusal of vernacular newspapers and of vernacular novels and other light forms of literature, as also by mixing more freely with educated Indians.

10365 (63). Do you recommend any changes in the rules for the encouragement of the study of Oriental languages, and, if so, what changes?—No.

10366 (64). Please give your views as to what steps (if any) are necessary to improve the proficiency in the knowledge of law of members of the Indian Civil Service, distinguishing between recommendations applicable to all officers and to officers selected for the Judicial branch. In particular, do you favour a system of granting study leave to Europe, and, if so, what course of study (course for a call to the Bar, reading in barrister's chambers or other), and what conditions do you propose?—All officers selecting the Judicial branch should be called upon to take a law degree or be called to the Bar. Within ten years of service, they should be further called upon to study for a year in a practising barrister's chambers in London. For officers selecting the Executive branch, no more training is required than outlined before in the course of studies for the final examination in the Indian Civil Service and the departmental examinations.

10367 (65). Do you recommend any special course of study in law in India for officers selected for the Judicial branch?—Please see answer to question (64) above.

10368 (66). Do you recommend any special training in subordinate judicial posts for officers selected for the Judicial branch? If so, please give details.—No, though perhaps it would be better for a junior officer at head-quarters of the district who has selected the Judicial branch to be appointed a Subordinate Judge and try a certain number of contested civil suits and appeals from the Munsifs.

10369 (67). Do you recommend any system for encouraging the higher study of law analogous to the rules for the encouragement of the study of Oriental languages?—No.

10370 (68). Is any differentiation desirable in the system of training after appointment in India between members of the Indian Civil Service who are "Natives of India" and other natural-born subjects of His Majesty?—I do not recommend any differentiation.

10371 (69). If you have recommended the introduction of any scheme of direct recruitment in India for "Natives of India," whether in lieu of, or supplementary to, the system of recruitment in England, please state what system of training you recommend for such officers?—I do not recommend any system of recruitment except by open competition.

10372-73 (70). Is any differentiation necessary in regard to the probation and training of members of the Indian Civil Service who are "Natives of India" as between persons of unmixed Indian descent, of mixed European and Indian descent, and of unmixed European descent?—No.

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10374 (72). The present theory underlying the conditions of service in the Indian Civil Service is that—(a) the members of the service should have sufficient training in subordinate or inferior appointments before they are called upon to discharge the duties of higher ones; and (b) that they should throughout the whole period of their service have sufficient salaries and sufficiently responsible duties. To secure these objects the number of posts, called technically “superior posts,” carrying a salary of over Rs. 1,000 *per mensem*, is ascertained, and it is endeavoured to recruit only sufficient officers to make it probable that each officer will find himself officiating with practical permanency in at least the lowest of those appointments after the completion of eight years’ service. Do you accept this system? If so, do you consider that the period of eight years is suitable, or do you recommend any change? What alteration (if any) would be necessary if the age of recruitment were lowered?—I agree to the principle. The period of eight years is quite suitable on the understanding that no officer should be denied acting or permanent promotion due to vacancies on account of this rule. No alteration is necessary if the age-limit is reduced.

10375 (73). It is also part of the existing system that officers of over two but under eight years’ completed service should fill with practical permanency in the ordinary course of promotion charges of minor responsibility, called technically “inferior posts,” and should be drawing pay at rates above that of the lowest grade, but not exceeding Rs. 1,000 *per mensem*. Do you accept this as a suitable arrangement? If not, what alteration would you suggest, and for what reasons?—I do not know that this is part of the existing system. In my case, after five years’ service I have continued without interruption in the superior posts. I do not consider any hard-and-fast rule on the subject can be laid down. The acting promotions must depend on the state of the cadre and be governed by the Civil Service Regulations alone. I submit that no rule should be laid down on the subject.

10376 (80). Does the allowance of 39 per cent. on the number of superior posts give the right number of junior officers for the work of the administration of your province? If not, please state what excess or deficiency in your opinion exists, giving your reasons in detail?—I submit that more junior officers of the rank of Joint Magistrates are necessary. We ought to have at least 20 in each grade.

10377 (87). Are you satisfied that, under the existing system of promotion, the interests of individual officers and of the Administration are duly reconciled, and have you any suggestions to make regarding it, particularly on the subjects of selection for higher appointments and of the compulsory retirement of inefficient officers?—I think that the appointments as Heads of Departments in the Secretariat of the Local Governments and in the Government of India are practically closed to Indians. I submit some of us might be given a chance. Regarding compulsory retirement, the present system by which the inefficient officers are reduced to

the grade of Joint Magistrates and then allowed to retire as soon as they earn full pension is quite fair and equitable. I can suggest no alteration.

10378 (88). To what extent are the functions of the officers of the Executive and Judicial branches of the Indian Civil Service differentiated? Is any change desirable and, if so, in what directions?—The functions are combined in the so-called Executive officers. If there is no financial objection, I submit that better administration will result if the functions are separated.

10379 (90). Please see the two statements contained in Appendix VIII to these questions showing the various rates of pay drawn by officers holding posts in the Indian Civil Service cadre and the grading of each class of post for the different provinces, and say whether they are correct for your province?—Correct, except that there should be three Under-Secretaries to Government instead of two.

10380 (92). Are the present rates of pay and grading suitable? If not, what alterations do you recommend?—No. The distinction in emoluments between the Judicial and Executive branches is too invidious and unnecessary. I beg to suggest the following scales of pay for Bengal:—

| | Rs. |
|---|-------|
| Assistant Magistrates, 3rd grade | 500 |
| Ditto, 2nd „ | 550 |
| Ditto, 1st „ | 600 |
| Twenty Joint Magistrates, 2nd grade | 800 |
| Twenty Joint Magistrates, 1st grade | 1,000 |
| Fourteen Magistrate-Collectors, 3rd grade | 1,500 |
| Thirteen Magistrate-Collectors, 2nd grade | 2,000 |
| Twelve Magistrate-Collectors, 1st grade | 2,500 |
| Five Commissioners | 3,000 |
| Thirteen Judges, 3rd grade | 2,000 |
| Twelve do., 2nd „ | 2,500 |
| Five do., 1st „ | 3,000 |

10381 (93). If any dissatisfaction is felt, does it relate to the pay or grading of the higher or lower posts, or to both?—To both.

10382 (94). Do you consider it desirable that there should be uniformity of payment for similar kinds of work in all the provinces, and does any dissatisfaction on this score exist in your province, and if so, what?—I think the scale of pay for similar posts should be the same in all provinces.

10383 (95). Do you consider that the exchange compensation allowance introduced in 1893, eligibility for which depends on nationality or domicile, should be abolished, and if so, under what conditions? Should such abolition apply to officers already employed or be restricted to future entrants?—I should like to see it abolished, for it makes an invidious distinction between Indians and others, although practically all Indians in the service have to keep their families and educate their children in Europe

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and many "others" who draw exchange compensation allowance do not do so. The exclusion of Indians has been an unmerited slight and one of our greatest grievances. If possible, the exchange compensation allowance should be abolished for all officers now in service as well as for future entrants. The necessary consequence of such abolition should be an increase of salary equivalent to at least four pence in the rupee.

10384 (96). If abolition is recommended with compensation in the form of increased salaries, what is your opinion regarding the grant of a similar increase of salary to those members of the service who now draw no exchange compensation allowance?—This increase should be given to all members of the service without distinction of race or creed.

10385 (97). How does the system of acting allowances work in the case of officers selected to officiate in appointments involving increased responsibility? Is it productive of any inconvenience and have you any suggestion to make on the subject?—The existing system of acting allowances is quite sound and produces no inconvenience or dissatisfaction.

10386 (98). How is the system of officiating grade promotions, where there is no change of duties, actually worked? Is the system convenient in the interests both of the Government and of the officers of the service? Have you any recommendations to make for its alteration?—The existing system of officiating grade promotions is quite just and equitable and appears to be in the best interests of Government and the officers.

10387 (99). What is your opinion regarding the substitution for the existing graded system of promotion of a time-scale of salary? If you are in favour of a time-scale, should it be restricted to the lower grades of the service or not?—I do not consider that a time-scale of salary at any period of the service is at all necessary.

10388 (100). As an alternative do you recommend a system by which each main class of appointment would have a separate time-scale?—No.

10389—(101). What is your experience of the practical working of time-scales of pay in other Indian services?—I have no experience of time-scale of salary except among ministerial officers, and their case does not compare with ours.

10390-1—(102). If you recommend any system of time-scale of pay, please describe it, and state what conditions should be laid down in regard to the grant of increments, promotion to superior grades, charge allowances, and other matters of importance? How do you propose to apply such time-scale in provinces where the scale of pay of the Judicial and Executive branches of the service is different?—I am not in favour of a time-scale.

10392 (104). Turning now to the case of the Statutory Civilians and officers of the Provincial Civil Services holding listed posts, do you approve of the arrangement by which they draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rate

do you suggest for the various grades of the service?—I have advocated before the abolition of the Statutory Civilians and of listed posts.

10393 (107). Is all the leave on full pay due to them ordinarily taken by officers of the Indian Civil Service, and if not, what are the reasons? Is the amount which can be earned in your opinion suitable? If not, what alternative arrangement do you suggest?—I do not think so. In my case during 19 years of service I have taken less than six months' leave on full pay. The reasons in my case were, that I generally kept excellent health and I did not care for the transfer which was deemed to be a necessary consequence of leave. Besides in the earlier years of my service, such leave was often refused. I think the amount earned should never be allowed to lapse. If a lapse be deemed essentially necessary, I should say that it ought to be accumulated up to five months at least before any lapse.

10394 (108). Is all the furlough due to them ordinarily taken by officers of the Indian Civil Service? Is it necessary to allow for as much furlough as is permissible by the present rules? If not, what change do you suggest?—Not in every case. I cannot judge. In case of some European officers all the furlough allowance under the existing rules appears to be necessary.

10395 (109). Do you consider that the rates of furlough allowance are suitable? If not, what changes do you recommend?—I suggest no change. Please see my answer to question (111) below.

10396 (110). Do you recommend any change in the concession, granted in 1893, under which leave allowances expressed in rupees, other than privilege leave allowances, issued at the Home Treasury, or in a Colony with a gold standard of currency, are issued in sterling at the privilege rate of exchange of 1s. 6d. the rupee? If so, what change?—This concession should continue unless my proposal in answer to question (95), of an increase of 4 pence in the rupee of the salary is adopted, in which case this concession is unnecessary.

10397 (111). Do you consider that the maximum and minimum limits of leave allowances at present fixed are suitable? Do you recommend any change in the alternative rates fixed in sterling and in rupees, and if so, what change?—The maximum allowance should be increased from £1,000 to £1,250. The minimum and maximum allowances drawable in India should be the same as in England, namely, Rs. 7,500 and Rs. 18,750.

10398 (112). Have you any recommendation to make in regard to special leave, extraordinary leave without allowances, and other forms of leave? Do you consider that the present conditions governing these kinds of leave and the leave allowances admissible are suitable?—No. Yes.

10399 (113). Generally speaking, do any of the present leave rules applicable to the Indian Civil Service cause inconvenience to the Administration, and if so what, and what remedy do you suggest?—No.

10400 (114). In particular, are they a contributory cause of excessive transfers of officers.

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of the Indian Civil Service, and if so, how can this difficulty be met?—No.

10401 (115). Do any of the present leave rules press hardly in any way on officers of the Indian Civil Service themselves and, if so, in what respects? What is, in your opinion, the appropriate remedy?—No, except as stated in paragraph 2 of answer to question (111).

10402 (116). Do the present leave rules applicable to Statutory Civilians, or to officers of the Provincial Civil Services employed in listed posts cause any inconvenience to the Administration, or press hardly on the officers themselves, and in what respects? In particular, do you consider that separate sets of rules for such officers and for officers of the Indian Civil Service are desirable?—I have before recommended the abolition of the Statutory Civilians and listed posts.

10403 (118). Is the present system of equal annuities to all members of the Indian Civil Service generally accepted as satisfactory by the Government and by the members of the Indian Civil Service?—No. The pension ought to be increased after every year's active service after full pension has been earned. Please see answer to question (120).

10404 (119). Would a non-contributory system of superannuation pensions, varying in amount with the amount of salary drawn at the time of retirement, be preferable in the interests either of the Government or of the members of the Indian Civil Service?—A non-contributory system of superannuation pensions would be very acceptable, if the minimum service and minimum pension be the same as now.

10405 (120). Assuming the maintenance of the annuity system, do you suggest any modifications in its detailed working, and, if so, what, and for what reasons?—In my humble opinion an officer of the Indian Civil Service should be allowed to retire on a pension of £1,000 a year after completing 21 years' active service, whether he had taken 21 years or 25 years or any intermediate period to do so. After 21 years' active service the contribution should cease. For every additional year of active service he should be allowed an additional pension of £25 a year, provided that the maximum pension allowable to any officer should be £1,250. This would retain the Civilians longer in the country and not deprive the country of their mature judgments and the accumulated knowledge of many years.

10406 (121). In particular, what is your opinion of the arrangement by which members of the Indian Civil Service, who are appointed Judges of High Courts, obtain special pensions of £1,200 a year after 11½ years' actual services as Judges? Do you recommend any change in the present conditions?—I do not see any reason why the Judges of the High Court should have preferential treatment, and I submit they should be subject to the same rules as other members of the Indian Civil Service.

10407 (122). Do you consider that a similar system should be applied to the cases of high Executive officers, and if so, to which? Please

state the amount of pension and the conditions which you recommend as suitable?—No. I think all members of the Indian Civil Service should have the same pension irrespective of the appointments they may have held, subject only to the increment described in my answer to question (118).

10408 (123). Assuming the substitution of a non-contributory system of superannuation pensions varying in amount with the amount of salary drawn at the time of retirement, please describe the system that you recommend?—I submit that the rule about non-contributory system of superannuation pensions should be worked as follows:—

After 21 years' active service—pension of half the average salary of past three years, subject to a minimum of £1,000 or Rs. 15,000.

For each year of additional active service, an increment of £25 over £1,000.

10409 (124). Do you recommend the introduction of a system of reduced pensions for such officers as may be found to be inefficient, but whom it would be difficult to retire without some provision for their subsistence? If so, what do you suggest?—I do not think any member of the Indian Civil Service should be made to retire before 21 years. Surely some kind of appointment in either a superior or an inferior post could be found suitable to an officer of this service, however inefficient he may be, when he has once proved his merit in the open competition and had the training the service requires. For accidental incapacitation, the existing rules of retirement and pension are ample and suitable.

10410 (125). Do you consider the existing pension rules suitable in the interests both of the Government and of the members of the Indian Civil Service? In particular, what is your opinion of the present rules regulating voluntary and compulsory retirement?—No. An officer should be allowed to retire after 21 years' active service irrespective of the actual time he has taken to render that service.

10411 (129). Do you accept as satisfactory the regulations of the Indian Family Pension Fund, or have you any suggestions to make either for their abolition or for their alteration? Have you any proposals to make in regard to the present methods of working such regulations?—I do not know these Regulations.

10412 (130). In particular, do you approve of the exclusion from their benefits of "Natives of India," who are members of the Indian Civil Service? If not, under what conditions would you admit them, having regard to the main differences between their social conditions and those of the European members on which the present system is based?—No. It is one of our standing grievances. Whatever may have been the difference between the social conditions of the Indians and other members of the Service when this invidious distinction was devised, I submit that there is little or none at present. The argument against our joining the Family Pension Fund was, I am told, that a Hindu or a Muhammadan could marry more than one wife. But the exclusion applies equally well to Christians, Parsis and Brahmos who are precluded by their religion from marrying more than

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one wife. Nor have I heard of any Indian member of the Service of any religious persuasion who has more than one wife. Even if such a case ever occurs, it would not be difficult to meet it, for the pension could be made allowable to the senior wife alone.

10413 (131). Do you recommend that such admission should be optional or compulsory?—Compulsory.

10414 (132). If you do not approve their admission to the Indian Civil Service Family Pension Fund, do you recommend the formation of a separate Family Pension Fund?—No. This will make the distinction wider and the dissatisfaction more acute.

10415. (136) Are you satisfied with the existing organisation of the Indian Civil Service? If not, please state what alternative organisation you consider desirable, and explain fully your views, making any suggestions that appear to you suitable?—The organisation is and has always been perfectly satisfactory. I consider no alteration desirable.

Written answers relating to the Provincial Civil Service.

10416 (1). Please refer to Government of India Resolution No. 1046—1058, dated the 19th August 1910, defining the general conditions which should govern recruitment to the Provincial Civil Service, and reproduced as Appendix A. Are these conditions suitable, or have you any recommendations to make for their alteration?—Quite suitable.

10417 (6). What is your experience of the officers selected by the different methods of recruitment, which method has proved the most satisfactory, and what changes, if any, in the present system of recruitment do you recommend? For direct recruitment do you recommend (a) open competition, (b) nomination, (c) combined nomination and examination, or (d) some other method? Please describe fully the system that you recommend?—In my opinion candidates selected by open competition were the best. I recommend that at least one-third of the appointments in the Executive branch be selected from the Subordinate Civil Service, and two-thirds appointed by open competition. For the Judicial branch, I recommend open competition among pleaders, vakils, advocates and barristers.

10418 (7). To what extent are non-residents of the province employed in your Provincial Civil Service? Do you consider that only residents of the province should ordinarily be recruited?—I consider that so far as Bengal is concerned, there is no dearth of suitable local candidates and only local candidates should be appointed.

10419 (8). Are all classes and communities duly represented in your Provincial Civil Service? Do you consider that this is desirable, and what arrangements do you recommend to secure this object?—I think so. I consider it not necessary, efficiency being the only test for administrative appointments, as in the case of the Indian Civil Service.

10420 (9). What is the system of training and probation adopted for officers of the Provincial Civil Service? Do you consider it satisfactory, and if not, what alterations do you recommend?—For the executive service, the

training and probation is similar to the training of the members of the Indian Civil Service. I consider this to be satisfactory. I do not think that there is any training at present for the judicial service. I recommend a special departmental examination in the Laws of Procedure, in High Court Rules and Orders and Accounts.

10421 (10). Is the existing system of departmental examinations suitable, and if not, what changes do you recommend?—Quite suitable. I suggest no alteration.

10422 (11). Do you consider that any change should be made in the classes of offices and appointments at present included in your Provincial Civil Service?—No.

10423 (18). To what extent are the functions of the officers of the executive and judicial branches of your Provincial Civil Service differentiated? Is any change desirable, and if so, in what direction?—The so-called executive officers have to exercise both executive and judicial functions. I admit that better administration will result if these functions are separated.

10424 (19). Are you satisfied with the existing arrangements by which certain posts, ordinarily filled by members of the Indian Civil Service, are listed as open to officers of the Provincial Civil Service of proved merit and ability, and is the system followed in making appointments to these posts suitable? If not, what alterations do you suggest?—No. I recommend the abolition of the listed posts altogether.

10425 (20). Are you satisfied with the system by which most of the inferior listed posts are merged in the Provincial Civil Service? If not, what change would you suggest?—No. An officer selected to be an Assistant Magistrate or a Joint Magistrate would much rather prefer to be called as such, although on inferior pay.

10426 (21). Are you satisfied with the present designation "the Provincial Civil Service"? If not, what would you suggest?—Yes. I suggest no alteration.

10427 (22). Do you accept as suitable the principle recommended by the Public Service Commission of 1886-87, and since followed, that the conditions of the Provincial Civil Services as regards salary should be adjusted by a consideration of the terms necessary to secure locally the desired qualifications in the officers appointed?—The principle is quite sound and I accept it.

10428 (24). Are the existing rates of pay and grading in the Provincial Civil Service of your province adequate to secure the desired qualifications in the officers appointed? If not, what alterations do you recommend?—No. I suggest the following grades for both Executive and Judicial branches:—

| | | | Rs. |
|--------------|-----|-----|-------|
| First grade | ... | ... | 1,000 |
| Second | " | ... | 900 |
| Third | " | ... | 800 |
| Fourth | " | ... | 700 |
| Fifth | " | ... | 600 |
| Sixth | " | ... | 500 |
| Seventh | " | ... | 400 |
| Eighth | " | ... | 300 |
| Probationers | ... | ... | 150 |

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I would also abolish the designations of Subordinate Judges and Munsifs and call them all Deputy Judges.

10429 (25). Are you satisfied with the present system under which officiating promotions are not made in the Provincial Civil Service? If not, what alteration do you recommend?—No. I would recommend that acting grade promotions should be allowed as in the case of the Indian Police Service.

10430 (26). What is your opinion regarding the substitution of a time-scale of salary for the existing graded system of promotion? If you are in favour of a time-scale, should it be restricted to the lower grades of the service, or not?—I recommend no time-scale of salary.

10431 (30). Do you approve of the arrangement by which officers of the Provincial Civil Service holding listed posts draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various appointments?—I do not at all approve of the listed posts.

10432 (33). Is all the furlough due to them ordinarily taken by officers of the Provincial Civil Service? Is it necessary to allow for as much furlough as is permissible by the present rules? If not, what change do you suggest?—No. It is necessary. I suggest no alteration.

10433 (34). Do you consider that the rates of furlough allowances are suitable? If not, what changes do you recommend?—Yes. I recommend no change.

10434 (35). Do you consider that the maximum and minimum limits of leave allowances at present fixed are suitable?—Yes.

10435 (36). Have you any recommendations to make in regard to special leave, extraordinary leave without allowances, and other forms of leave? Do you consider that the present conditions governing these kinds of leave, and the leave allowances admissible, are suitable?—No.

10436 (37). Generally speaking, do any of the present leave rules applicable to the Provincial Civil Service cause inconvenience to the Administration, and, if so, what; and what remedy do you suggest?—No.

10437 (38). In particular, are they a contributory cause of excessive transfers of officers, and, if so, how can this difficulty be met?—No.

10438 (39). Do any of the present leave rules press hardly in any way on officers of the Provincial Civil Service, and, if so, in what respects? What is in your opinion the appropriate remedy? In particular, do you regard the existing differences between the leave rules for the European and Indian Services as suitable?—No.

10439 (40). Is the present system of superannuation pensions satisfactory in the interests both of the Government and the members of the Provincial Civil Service?—Yes.

10440 (41). Have you any suggestions to make in favour of any modifications in its detailed working, and, if so, what, and for what reasons?—No.

10441 (42). Do you approve of the grant of reduced pensions for such officers as may be found to be inefficient but whom it may be difficult to retire without some provision for their subsistence? If so, what do you suggest?—No.

10442 (43). Do you approve of the present system regulating the pensions of officers of the Provincial Civil Service holding listed posts? If not, what do you suggest?—I propose abolition of the listed posts.

10443 (44). Do you consider that the existing rules governing the voluntary and compulsory retirement of members of the Provincial Civil Service are satisfactory? If not, what changes do you recommend?—Yes. I recommend no change.

10444 (45). To what extent do members of the Provincial Civil Service subscribe for the benefit of their families to the Government General Provident Fund, or to other official or officially recognized funds? Are any further facilities required, and what arrangements of this kind do you consider to be necessary?—I consider that the contribution should be made compulsory.

10445 (46). Are you satisfied with the existing organization of the Provincial Civil Service? If not, please state what alternative organization you consider desirable, and explain fully your views, making any suggestions that appear to you to be suitable?—Yes.

MR. KIRAN CHANDRA DE, called and examined.

10446. (Chairman.) What is your caste?—I am a Kayastha.

10447. You are a member of the Indian Civil Service?—I am.

10448. You are a Magistrate-Collector (2nd grade), Rangpur?—Yes.

10449. How many years have you been in the service?—Going on for twenty years now.

10450. Can you tell me briefly what course you took in your early days after passing your examination?—I went to Cambridge.

10451. Did you go straight from India to pass your preliminary examination, or did you spend some time in England first?—I went from India and was two years in England before I went up for my open competition, and then after I got through I went to Cambridge, where I had an Exhibition in St. John's College, and I stayed there until the final, and then came out.

10452. How old were you when you passed the open preliminary examination?—Just over twenty-one.

10453. How old were you when you took your degree?—I took my degree in Calcutta at the age of 19.

10454. How many years did you remain in England after passing your competitive examination?—A year and three months. Our probation was a year, and I think there was three months' delay.

10455. Then you came out here and took your degree?—No, I took my degree in India before I went to England.

10456. You are in favour of a system of simultaneous examinations?—Yes.

10457. Do you desire to see the maintenance of a minimum proportion of Europeans in the Indian Civil Service?—It will be maintained in any case even with a simultaneous examination.

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10458. You are positive of that?—For the next one hundred years I am absolutely positive that it will be, unless of course the intellect of England deteriorates for any reason and English boys cannot compete with Indian boys.

10459. That is a prediction on your part?—It is based on my consideration of the Indian boys of to-day and the system of Indian education, and the English boys of to-day and the system of English education.

10460. You cannot say it is impossible, but you say it is highly improbable?—I should say it is highly probable.

10461. But you cannot say it is impossible?—It is impossible for me to say that of course.

10462. You would not suggest any means by which that contingency, remote though it be, could be avoided?—I do not oppose any such scheme if considered necessary.

10463. You desire to see the age-limits reduced to 17 and 19?—I do.

10464. And then you would like to see three or even possibly a four years' course at Oxford or Cambridge after the open competition?—Yes.

10465. I notice that you particularly select Oxford or Cambridge?—Yes, because those are residential Universities and ancient Universities having a tradition and a tone of their own.

10466. You would confine it to those two?—I would. I would not add any non-residential Universities like Edinburgh or London.

10467. What would be your objection to those being added as well as the other large and increasingly important provincial Universities in England?—For two reasons. First of all Oxford and Cambridge are residential Universities, and secondly they are ancient Universities having a tradition of their own which give a special tone to the youths.

10468. There are other Universities that fulfil the first qualification, although you might not consider that they filled the second qualification?—I have no objection to their being included.

10469. With regard to the three or four years you have mentioned, that is a very much longer period than we have had put before us by most witnesses: why do you suggest so long a period?—To give them a thoroughly good education, because at the age of 19 a man's education cannot be said to be completed.

10470. Do you think there would be any danger during that long period of the candidate getting somewhat slack?—There was no such difficulty experienced just before my year when men used to be two years and sometimes three in England on probation. There are several men in our service, two or three years senior to me, who have had three years' probation, and I think they are all the better for it.

10471. You are strongly of the opinion that the present one year is much too short?—Much too short.

10472. What sort of University course would you recommend during this period?—I would recommend an Honours Degree.

10473. In Law?—Law, preferably, because whether a man comes out in the Executive

or the Judicial a good knowledge of law is required.

10474. What would you allow him during this period?—I have suggested £200 a year.

10475. If at the end of the period of three years he failed, would you make any arrangement by which he should refund any money that had been advanced to him?—No. I do not think that would be fair, because he enters by an open competition and is chosen by open competition.

10476. So that you would risk the results of the three years' probation on the strength of the open competition?—Yes.

10477. Under your scheme you would abolish the listed posts?—Naturally. There would be no need of listed posts if there is simultaneous examination out here and in England.

10478. Do you think that members of the Provincial Service would take the same view?—I am thinking of the future. Of course the present members of the Provincial Civil Service will have some objection to it, and no doubt some provision will have to be made for their preferment and special treatment.

10479. Why do you say the listed post system could not be continued conjointly with a simultaneous examination? There is no practical obstacle in the way, is there, of giving promotions from the Provincial Civil Service and of having examinations in both countries for the Indian Civil Service?—My experience of the selection for the listed posts has been that the best men have not been selected: the people who have been selected have not given satisfaction, or that amount of satisfaction which we expect.

10480. You speak from your own experience?—Yes, from what I have seen during the 20 years of my service.

10481. From what you have seen of occupants of the posts?—Yes.

10482. They are not of the character you would like to see and that you think you would see under your scheme?—Yes. I am opposed to selection altogether, as you will see from my evidence. Any system of selection at any time I think leads only to favouritism and in a great many cases to the appointment of the unworthy and the unfit.

10483. Are you opposed to selection in the Provincial Service as well?—Yes. I have proposed an open competition for both branches of the Provincial Civil Service, without any nomination or selection.

10484. In answer to question (21) you mention a certain number of subjects of examination, and you would have an aggregate of all those subjects. Would you insist upon the marks in certain subjects reaching a given standard?—When I entered into the service there was no aggregate, but subsequently an aggregate was prescribed and I thought that that was a good thing, because in the year I got in I took six subjects and received about half the marks of the man who came out top and who took 13 or 14 subjects.

10485. I suppose there was a qualifying standard?—Yes. If I had known what the marks would be like I would have taken more subjects and tried to get more marks, but I think an aggregate would be better as it would prevent cramming.

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10486. You think that provided there is a qualifying standard the candidate might take up as many subjects as he liked and get all the marks he can?—No. I say he should not take more subjects than aggregate to a certain number of marks, say up to 4,000.

10487. You mean an aggregate of marks, not an aggregate of subjects?—That is so.

10488. In answer to question (64) you say that all officers selecting the Judicial branch should be called upon to take a Law degree and be called to the Bar. Would that be before they entered the service?—It may be either before or after they have entered the service.

10489. How long after would you say?—Seeing that they will not be confirmed as a Judge before they qualify themselves in this way, they should do it as soon as they can.

10490. With regard to pensions, you suggest better terms of pensions for greater length of service on the ground that Civilians would be retained longer in the country?—Yes.

10491. We have had a good deal of evidence to the effect that it would be undesirable to encourage officers to remain too long in the service. Apparently you would rather favour the older men remaining in the country?—There are two points of view. There is the personal point of view of the Civilian himself who wants to get out of the country the moment he gets his pension, and the point of view of the country which wants the best man for as long a time as possible.

10492. You think the best men are the men of experience who should stay a little longer?—Every inducement should be offered to them to stay longer.

10493. You do not agree with the theory that when a man has reached the age for voluntary retirement he is worked out and is not much more use to the service?—No.

10494. You rather think he is fully matured and would be of additional use to the service?—I think so.

10495. You recommend open competition for the Judicial branch of the Provincial Civil Service?—Yes, for both the Judicial and the Executive.

10496. What age-limit would you fix for the examination?—I think the present age-limits are 20 to 25. I have not thought over the matter, but I think those limits are good enough.

10497. Do you think that an examination of that character would be likely to attract a good class of Vakil and Barrister?—Of course at that age one cannot say whether a man is a good class Vakil or Barrister, as he has only just entered into the profession and is barely making any income.

10498. You think that a complete system of open competition is preferable to the suggestion made by so many witnesses that the system should be part competition and part nomination?—I would not have any nomination at all for the Indian Civil Service, which is the *corps d'élite* of the service in India. With regard to open competition, it has been doing perfectly well so long, and everybody is satisfied that it is the best way of getting in, and I think that is the best way of getting in in every other service.

10499. But you do not base it merely on theory? From what you said just now I understand you base it on your own experience, and you think there might be a very considerable improvement in the Provincial Civil Service if your proposal was carried out?—Yes, my experience is to that effect, because in the old days, when I joined the service, in Bengal the Provincial Civil Service was recruited by open competition, and the men who got in in that way were decidedly better than the men we are getting now.

10500. (Lord Ronaldshay.) You told the Chairman you did not think there was the smallest probability of the necessary number of Europeans in the service being reduced as the result of a system of simultaneous examination?—Of course they would be reduced.

10501. I mean the essential number. Do you consider it essential that there should be a certain number of Europeans in the service?—Yes.

10502. Have you any idea in your mind as to what that proportion should be?—So far as Bengal is concerned I do not think the administration will suffer if the number is about half Europeans and half Indians.

10503. At any rate, you think it is essential that half should be Europeans?—Yes.

10504. In your answer to question (21) you suggest that the marks for Sanskrit and Arabic should be put at 600?—The same as Latin and Greek.

10505. At the present time the marks for Sanskrit and Arabic are 800: do you want to reduce the number of marks?—Yes, because my examination will be held at an earlier age. If you compare these marks with the marks for examination held at that age, they would be about the same I think.

10506. You suggest reducing the number of marks for Sanskrit and Arabic?—Yes, for all the subjects more or less. I reduce the standard considerably.

10507. In answer to question (37) you say you do not think the system under which most of the inferior listed posts are merged in the Provincial Civil Service gives satisfaction, and you give as your reason that an officer of the Provincial Civil Service selected for the post of an Assistant or a Joint Magistrate would much prefer to be called an Assistant or a Joint Magistrate, though on reduced pay. What is he called now?—Deputy Magistrate.

10508. Would his grievance be met if the members of the Indian Civil Service who hold similar posts were also called Deputy Magistrates?—The members of the Indian Civil Service would not like that.

10509. But would the Provincial Civil Service man's grievance be met if the members of the Indian Civil Service who were doing similar work were also called Deputy Magistrates?—If there are no Assistant Magistrates or Joint Magistrates and they are all Deputy Magistrates, there would be no difference, and he would be quite satisfied.

10510. It is really a question of the name?—The name carries something else. If a man is once an Assistant Magistrate he gets promoted to a Joint Magistrate and subsequently to a District Magistrate.

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10511. Men in the listed posts never can get that promotion?—They do get it, but the same man does not get it. At present these vacancies are added to the cadre of particular grades, and nobody knows which man in that particular grade is the holder of the listed post.

10512. And that is not satisfactory from the point of view of members of the service?—It is not satisfactory to anybody.

10513. In answer to question (39) you say that the officers of the Provincial Civil Service selected to fill the listed posts are not on the average as efficient as members of the Indian Civil Service filling posts of similar responsibility. Is your conclusion based on experience?—Yes.

10514. You have compared men whom you have personally known holding listed posts with men you have personally known holding similar posts but who are members of the Indian Civil Service?—Yes.

10515. And the comparison has been unfavourable to the men who have held the listed posts?—That is so.

10516. In what respect do they fall short, generally speaking?—In efficiency altogether.

10517. Do you mean that they do not perform their duties so thoroughly?—And they are not held in the same respect; they do not command the same influence.

10518. In answer to question (95) you say you would like to see the difference in pay which arises out of what was known as the exchange compensation allowance abolished, and you say that practically all Indians in the service have to keep their families and educate their children in Europe. Do you mean to say that the Indians in the service must, as a result of being in the service, incur as much expenditure as a European does?—Yes, we must, because, holding the position we do, it is incumbent upon us to adopt the European method of living *in toto*, and we have got to do that.

10519. If that is so, there would be no economy in manning the service by Natives of India?—There will not be.

10520. It will be quite as expensive as manning the service with Europeans?—Yes.

10521. You seem to be inconsistent in connection with one point, or it may be my fault, in not understanding it. In answer to question (107) you say that you have taken less than six months' leave on full pay, and one of the reasons why you have taken so little is that you did not care for the transfer which was deemed to be a necessary consequence of taking leave; but then in answer to question (114), when you are asked if the leave rules are a contributory cause of excessive transfer of officers, you say "No." Surely the answer to question (107) clearly means that if you had taken leave on full pay, it would have necessitated transfer, and that being so, these leave rules apparently are a contributory cause.—The answer to question (114) is incorrect, I mean to a certain extent, that is to say, not the sole cause.

10522. Then you very considerably modify your answer to question (114)?—I do; I did not notice it before.

10523. With regard to the Provincial Civil Service, you say that you want it to be a special open examination, and

you told us when you joined the service a good portion of the vacancies were filled by open competition?—Yes.

10524. As a matter of fact, between the years 1884 and 1904, I think 123 candidates got into the Provincial Civil Service through a competitive examination, and out of those 123 I think there were six Muhammadans, two Eurasians, one Bihari, and the whole of the others were Bengali-Hindus. Are you a native of Bengal?—I am.

19525. Then you would not object to the service being filled by Bengali-Hindus?—No.

10526. Do not you think it is desirable on many grounds that in a country where there are so many communities, whose interests in many cases are very divergent, those communities should have a certain share of representation in the service of the State?—I do not know of any considerations which necessitate sacrificing the efficiency of administration for the sake of pleasing a particular community.

10527. It is not really a case of pleasing a particular nationality, is it? Are not there administrative grounds for having a certain proportion of Muhammadans in your service if you have a large Muhammadan population?—It is necessary, I admit, to have Muhammadan Deputy Magistrates in a district to assist us in administration, but the advance of education amongst this backward class is very great indeed in recent years.

10528. But if no Muhammadans were successful in the competitive examination, how do you get over the difficulty?—In the near future they will not be unsuccessful. If the Dacca University scheme is to be adopted, I think the Muhammadans will come to the front and will beat the Bengali-Hindus.

10529. That is your opinion, but you cannot prove it?—Even now they are getting in more and more.

10530. Through competitive examination?—In the University examinations. Education is spreading fast among them.

10531. But you will not admit there might be that difficulty?—No.

10532. (Sir Theodore Morison.) Have you been back to your own college in England recently?—I was there the year before last.

10533. Do you think that the Indian now gets the same advantages out of residence in Cambridge that he did in your time?—I think so.

10534. Did you speak to any Indian undergraduates at your college?—No. I spoke to the master and to my tutor, and to the Dean and other people, and I arranged to send my son there. They made some difficulties in the beginning, but they said that because he was my son they would take him. There was a great deal more difficulty about admitting my son than there was about admitting myself.

10535. Did the master explain to you the origin of the difficulty, or did you speak on the general question with him?—Yes, I discussed it with him.

10536. Did he think that the opportunities for the Indian undergraduate getting the best out of life at Cambridge were as good now

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as when you were there?—I did not hear anything to the contrary.

10537. You say in answer to question (95) that all Indians in the service have to keep their families and educate their children in Europe?—They have to, more or less.

10538. Do you mean quite early as boys, or do you refer to a University education?—I have not sent my children when young. I will not send them when they are too young. Other people have different opinions and have been sending their children young.

10539. To English schools?—Yes.

10540. So that in that case the expenses are the same?—Yes.

10541. Is it general in Bengal to send boys at an early age to England?—I do not know; I am only thinking of members of my service. Some of them do not, and some of them do. Personally I do not believe in sending children too young. Other people have sent them early, and they have been educated at Clifton, and other public schools.

10542. At thirteen or fourteen?—No; at six, seven, and even five years of age they have been sent to England.

10543. Then the apprehension which we met in Madras about denationalisation is not felt to the same extent here?—Not by some people. I feel it, and that is the reason I have not sent my sons.

10544. (Mr. Chaul.) With regard to your remarks about the Bengali-Hindus, can you tell me who are the people you call Bengali-Hindus?—The Hindus of Bengal of course.

10545. How many divisions or sub-divisions have they?—They are innumerable. It has taken up two or three volumes of Sir H. Risley's "Castes and Tribes of Bengal" to describe them.

10546. When you speak of Bengali-Hindus you do not mean that they are a community by themselves in the sense in which the Muhammadans are one community?—By no means. You may as well call the Protestants of England a separate community, or the Roman Catholics of Ireland a separate community. A Bengali-Hindu simply means the nation, the people of this Presidency who profess a particular religion.

10547. And amongst these there are sub-divisions which are for all practical purposes quite as separate from each other as the Hindu and the Muhammadan?—Yes.

10548. With regard to the expense of living, I wish to know what the state of things is here. When the Civilian who has come through the English door has to spend a certain amount for his own living here, it is really expense incurred for his own self, but to an Indian the unit of expense is the family, and not the individual. The Indian practically has to support a large family at the same age at which the Englishman has only to support himself. Is not that so?—That is so to a certain extent, but it scarcely applies to the members of the Indian Civil Service. The members of the Indian Civil Service who go to England practically cut themselves off from their families. I do not know any of my brother members who have to maintain a large family or distant relations or anything like that.

10549. Do you mean to say that an Indian going from here at the age of twenty or twenty-one is not a married man?—He is very often a married man.

10550. And sometimes has a child children?—Yes.

10551. But the Englishman, when he comes out here at the age of 23 or 25, is not married?—I have known a good many who have come out married.

10552. Of course there would be some, but looking at the general characteristics of the two people what would you say?—Of the fourteen Indian members of the Service in Bengal now I think only three went to England married.

10553. You mean they have no ties of relationship or relatives or family who depend on the amount they receive?—I do not know of any out of those gentlemen. They may occasionally help a brother or nephew and that sort of thing, but they certainly do not maintain a large family.

10554. May I take it that the Indian who goes from Bengal is a Bengali-Hindu?—I am talking of Mussalmans also.

10555. I am asking you with special reference to the Bengali-Hindu who goes from here to England and returns. As a rule, is he not a member of a joint Hindu family?—I daresay is; he generally lives separately. There may be a reported ruling, but I do not know.

10556. I do not care what the ruling is, I only want to know what the practice is. Is he not a joint member of the family; has he not got the same ties for their support and for meeting their wants?—I do not think so.

10557. In question (39) you were asked whether the officers of the Provincial Civil Service selected to fill listed posts proved on the average as efficient as members of the Indian Civil Service filling posts of similar responsibility, and you say your answer to the question is in the negative. Is the negative answer due partly to the selection of the Provincial Civil Service men for listed posts being at a late stage of their lives?—Yes. Those of the Judicial branch are generally put on to the listed appointments very late. The men on the Executive side are appointed much earlier.

10558. Have you had much experience of judicial work yourself?—I have been a Magistrate for about twenty years, and I have been doing judicial criminal work, and I was a Judge for six weeks.

10559. Have you been doing civil judicial work?—I was a Judge for six weeks, and that is not much experience.

10560. Does that six weeks' judicial civil work entitle you to give an opinion on the questions which you have answered here about the training of Judicial officers?—No, that six weeks' experience does not, but the nineteen years' service as a district officer does.

10561. Nineteen years' experience as a district officer in the Executive Department justifies you in saying that the Judicial officers do not want any training? In answer to one question you say there is no training required, and I want to know whether you have seen any work of Judicial officers from which you can

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judge as to whether it was satisfactorily done or not, in order to be able to speak about the necessity or otherwise of a judicial training?—My experience is based on what I have heard and what I have seen.

10562. But what you have seen was only during those six weeks?—Yes, and the rest is what other people say.

10563. In answer to question (88) you say, "The functions are combined in the so-called Executive officers. If there is no financial objection, I submit that better administration will result if the functions are separated." What do you mean exactly by "financial objection"?—If the Government can afford it.

10564. That is to say, expenditure?—Yes.

10565. Do you think that any scheme you have in view for the separation of the two involves a large additional expenditure?—No; there was a scheme proposed by the Government of Eastern Bengal and Assam which struck me as a remarkably good and cheap scheme.

10566. When was that?—Just before the end of that Government. It was to have been in force in two of the districts I was told.

10567. With regard to pensions, you said that the pension ought to be increased after so many years' active service, after full pension had been earned. What is your opinion about the sufficiency of the present amount of the pension, £1,000?—I propose to raise it to £1,250.

10568. As you have been to England you know the state of things very much better than I do. What is the amount of pension a gentleman who passed in the same year and was selected for the Home Service would get?—I do not know. I do not think he contributes 4 per cent. of his salary towards his pension as I do.

10569. If you deduct the contribution, what would the pension be?—About £400, I believe.

10570. You think £600 has been contributed by the Service?—Surely. It is supposed to be £500, but I think it is more.

10571. What is this grievance about family pensions you mention?—It is simply that I am not allowed to contribute towards the Family Pension Fund because of my nationality.

10572. Why is that?—The rules of the fund I suppose.

10573. What do you suggest, a separate fund?—I do not want anything separate; I want to be allowed to contribute to that fund.

10574. (Mr. Gokhale.) You have no fear personally that under a system of simultaneous examinations the Civil Service will be swamped by Indians?—I have not.

10575. You have had a University education in India and have passed the Indian Civil Service Examination, and you express this opinion with your experience of both?—Yes.

10576. You are against laying down a minimum for Europeans, not because you do not want Europeans in the Service, but because you are against any unnecessary racial qualifications being laid down?—Yes; it is unnecessary to do so. For the next 100 years there is no chance of the Service being swamped by Indians.

10577. And if it is unnecessary to lay down racial qualifications you would not do it?—No: it will simply increase the racial feeling. There is no racial qualification now with the single examination in England. There is no limit to the number of Europeans or Indians, and therefore why should there be with the simultaneous examination? That would be putting the brand of inferiority on the Indians who get in.

10578. Supposing, as a bare possibility, that the result of the simultaneous examination was that more Indians came into the Service than is thought desirable by the State, they would not come in all at once and the Service would not get swamped at once?—That is so.

10579. Supposing that the bare possibility of which we have been speaking tends to become a fact, still a large number of Indians could not all get at once into the Service?—They could not possibly.

10580. The progress towards swamping would be gradual?—Very gradual.

10581. And if that is found to be a dangerous thing the State could take action?—The State could take action by abolishing examination altogether and going by selection.

10582. Or by merely lowering the age, for instance?—Hundreds of means could be found like that, as, for instance, by requiring a University education or by lowering the age.

10583. It is not as though the danger of swamping would come suddenly on the State and that the State could not alter the arrangement without arousing serious discontent?—No.

10584. In what year of your service did you first get a district?—After four years' service.

10585. And what posts have you held since?—Since then I have been Magistrate-Collector, then Judge, then Magistrate-Collector again, then Registrar of Co-operative Credit Societies in Eastern Bengal and Assam. I was put on to special duty in regard to the fishery enquiries in Eastern Bengal and Assam, and then I came back to Bengal and my Collectorate again.

10586. For how long were you Registrar of Co-operative Credit Societies?—For five and a half years.

10587. As regards Registrarship of Co-operative Credit Societies was any work done before your time there?—No, I was the first man to be appointed to this office. There were two or three societies existing in more or less a moribund condition, and I had to reorganise the whole department from the beginning.

10588. How many societies were there when you left that office?—I cannot give you the exact figure, but nearly 500.

10589. It meant very considerable organisation during the time you were there?—Yes.

10590. Have you ever worked in the Settlement Department?—I had my Settlement training and then I applied for the Eastern Bengal settlement; and although the Government acknowledged my fitness for the post, they could not give it to me because I was too senior. I was drawing too high a pay for the Settlement to bear.

10591. It could not be said you were not given the work because you were not

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fit for it?—No. I think I have letters from both the Lieutenant-Governor and from a member of the Board of Revenue saying I was certainly fit.

10592. Has your work been appreciated by Government in any capacity?—Do you mean my ordinary district work?

10593. Your ordinary or extraordinary work, or whatever it may be; has it received special acknowledgment from the Government on any occasion?—I do not remember, but I was twice specially mentioned by the Board of Revenue in the Land Revenue Administration Report, and I was complimented several times on my work as Registrar of Co-operative Credit Societies.

10594. As the Collector of your district you must have had a large Muhammadan population to deal with?—In all my districts I think I had nothing less than 70 per cent. of Muhammadans.

10595. What were your relations generally with them?—They were always very cordial.

10596. Has there been any occasion when a complaint was made that you were a Hindu and that the Muhammadans did not get fair treatment from you?—Never.

10597. Was any objection or complaint of that kind ever made by anyone?—I have not heard of any such thing.

10598. Have you ever had to deal with any non-official European population in any of your districts?—There was a large non-official population at Goalundo.

10599. I am putting these questions to you because an opinion has been expressed that Hindu Collectors get into difficulties with the Muhammadan population and do not get on well with the non-official European population. Therefore I want to know whether you have had any difficulties of that kind?—I have not, and I have not heard of any other Indian Collector having any difficulties in the Presidency of Bengal.

10600. So far your promotion has been normal, has it not?—Yes, I have nothing to complain of.

10601. There has been no occasion when you have had reason to complain that you have been passed over?—No.

10602. In reply to question (27), you say "In my humble opinion, yes." Also "Yes, though unfortunately many of the prize appointments have been denied to them." Will you please explain what you mean by that?—I mean that Indian Civilians have been employed in the executive branch as well as the judicial branch; they have been Collectors and Judges and Legal Remembrancers and High Court Judges and Commissioners, and there has been also a member of the Board of Revenue and a member of the Secretary of State's Council. But none of the higher appointments have been offered to any of the present Indian members in the Service.

10603. Do you mean to suggest that Indians as a class more or less are passed over in these appointments, or what is it you want to express? You say "denied to them," and denied means that they should have been given to them but were not given?—We have not been given a chance. I have never been offered a

Secretariat appointment or an appointment as head of a department.

10604. Is that the complaint of all the Indian members of the Indian Civil Service?—That is my complaint. I do not know about the others.

10605. And you think it is not due to any fault on the part of the Indians?—It is not my fault. I think you cannot blame us until you give us a chance.

10606. (*Mr. Sly.*) We have had a certain amount of evidence that the European members of the Indian Civil Service, when they come out to this country, come out as a rule in debt, or during the early years of their service incur debt. Can you tell us whether our Indian brother officers generally enter the Service in debt?—Very often they are in debt, although I was not in debt myself. I know of some who have remained in debt for many years.

10607. Owing to the expense of their education?—Yes.

10608. And the expense of their education is one of the main reasons why you recommend simultaneous examination, that is to say, to reduce the expense?—Partly, and principally I might say.

10609. I understand a large number of Indians go to England to pass the Bar examination?—Yes.

10610. And apparently not the same number go there for the Indian Civil Service examination?—No.

10611. Can you tell us why they go in such large numbers for the one and not for the other?—Going up for the Indian Civil Service requires a certain amount of education and ability. Those who do not possess it do not go up for it; those who do possess it go up for it and they have the Bar as a second string to their bow.

10612. You think simultaneous examination would give a chance to a certain number of youths of ability who were unable to go to England?—Yes.

10613. Is that the main reason why you want the simultaneous examination?—That is the only reason really.

10614. In answer to question (12) you recommend the abolition of listed posts; have you considered what would be the effect of that on the morale of the Provincial Civil Service? You have a great knowledge of the Provincial Civil Service in connection with your duties, and I should like to know whether you do not think that that would seriously harm that important branch?—There must be something done for the existing members of the Provincial Civil Service, but in the future, when simultaneous examinations take place, an Indian youth who wants to enter Government Service will have a chance of entering for the simultaneous examination. If he fails there he can go in for the open competition for the Provincial Civil Service, and getting through there he cannot say that he deserves the other post.

10615. Although he shows great ability in the Provincial Civil Service you would still give him no chance of rising to superior posts?—Not according to the rules, but if a man proves of exceptional ability he may be afterwards put into any post, according to the statute.

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10616. But you would have no listed posts?—I would have no listed posts and no rules on the subject.

10617. With regard to your recommendation for lowering the age-limits, when the age-limits were raised in 1891 one of the main reasons was that it was said to be much fairer to the Indians to have a higher age-limit, and it was mainly done in the interests of Indian candidates?—That is so.

10618. Do you think that going back to the lower age-limits would harm Indian candidates now?—It will to a certain extent, and that is one of the reasons why I say there would not be so many Indian candidates for the simultaneous examination as might otherwise be expected. The lowering of the age is one of the safeguards for reducing the number of Indian candidates; but I did not recommend it for that purpose. I propose the lowering of the age in order to give them three years' training afterwards.

10619. Do not you think that would create a general feeling that you were giving a thing with one hand and taking it back with the other?—No, for many years I think the age was 17 to 19.

10620. Another objection, which applied more strictly to the English candidates was that the lowering of the age-limits was found to encourage cramming institutions at the expense of public schools, and, so far as we can see, perhaps the same results might be expected again if we went back to the early age-limits. Do you think that would be an important objection?—They still go to the cramming institutions.

10621. But only for a short period after getting through the University?—They may go to the cramming institutions in the beginning but it will not hurt them much if they go to the University afterwards and take their degree.

10622. That was one of the strong objections to lowering the age-limits; have you considered that point at all?—No, I did not think of that at all.

10623. In reply to question (81) you have given us certain proposals for the marks of the examination, and I notice you have deliberately omitted the Indian vernaculars from your list?—Indian vernaculars never existed in the lists for the open competition.

10624. You do not wish them included in the list at all?—No.

10625. You do not consider they are suitable studies for a competitive examination?—I do not.

10626. In reply to question (92) you have raised a certain amount of objection to the distinction in emoluments between the Judicial and the Executive branches?—I cannot see why there should be any distinction.

10627. I suppose you know that it was introduced because service in the Judicial branch was unpopular and certain inducements had to be held out to officers?—I know that.

10628. Do you think, now that that position has disappeared, there is no need to maintain this difference?—Yes. As far as I know this Presidency there, are more demands for judicial work than for executive.

10629. Can you tell us why this change has occurred in the attitude of the Service towards these two branches?—No. The Judicial officers would be able to tell you why probably. Personally I asked for the judicial, but it was not given to me.

10630. In reply to question (119) you have given your pension scheme; one objection to that has been already stated, and I want to state another. Do not you think that if your scheme of graduated pensions were introduced, a great block in promotion would be caused by the seniors staying on for the extra pension?—It would be good for the country all the same.

10631. In reply to question (124) you have dealt with the question of the retirement of inefficient officers and you have expressed an opinion against any such system. In your own province of Bengal you must know of certain cases of what are ordinarily termed "bad bargains." I believe some officers of the Indian Civil Service have not been promoted to the post of Collector and some have been degraded to the position of Assistant Collector. Do you or do you not consider it a good thing for the interests of the Service that such officers should be kept on? Do you not think that for the credit of the Service and the good administration of the country it would have been much better to have retired those officers as inefficient men and paid them their pensions?—I am thinking of the credit of the Service. If the power is given to any authority to retire a man in the Indian Civil Service on a charge of inefficiency like that, nobody in the Service will be safe, and the Service will lose both its prestige and its attraction.

10632. But you know that in the discussion of the subject considerable safeguards have been proposed; for instance, that the order of dismissal shall vest in the Secretary of State only?—Yes.

10633. And that there should be a Commission of Enquiry composed of a small number of officers?—I have heard of them.

10634. Do not you think that with all those safeguards it would be really better for the Service that some inefficient officers should go?—If sufficiently safeguarded, and the Service does not lose its prestige, I have no objection to any scheme for the retirement of inefficient officers.

10635. With regard to this question of admitting Indians to the Family Pension Fund, you have stated one reason why you think it was denied to Indians, and that was the principle of monogamy. There are other factors that have to be taken into consideration in that matter, such for instance as that the expectation of life of Indians and Europeans differs considerably, the fact that in the majority of Indians there is no such thing as widow remarriage, the fact that the age of majority of the children in India is considerably different from what it is in England, and the important fact of the marriage age of girls and that they do usually marry in this country. Now all these things affect to a considerable extent the contributions that should be paid to such a Family Pension Fund?—I think they ought to reduce the contribution payable by an Indian.

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10636. Some may reduce it and some may raise it, but there are a certain number of difficulties in it, are there not?—Yes.

10637. But you think all those difficulties ought to be got over and that it would be much better to put the Indian members of the Service into the Family Pension Fund rather than to have regard to all these distinctions and have a separate Family Pension Fund of their own?—They are too small a community to have a separate Pension Fund. As I said just now, we are only 14 in Bengal.

10638. But if in consideration of these things an actuarial calculation showed they ought to pay either a less or a larger proportion of subscriptions than the European member pays, would that meet with the general approval of the Indians?—I think so.

10639. Provided that the different social conditions show that a different rate of contribution is necessary, that would not matter?—I think that would meet the grievance of the Indian members of the Service.

10640. You do not recommend anything with regard to the Family Pensions of the Provincial Civil Service; do you consider the General Provident Fund sufficient for that purpose?—I was not asked any question upon that.

10641. I think you were in question (45)?—I said that the contributions should be made compulsory.

10642. But are any further facilities required?—If any further facilities are given they would be welcome. I did not think of the matter.

10643. (*Mr. Macdonald.*) With reference to your suggestions about age, if boys of 17 to 19 have to pass this examination, does not that come in very awkwardly if they are students at a University?—They go to the Indian University at the age of 17. Instead of going to the University they will prepare for the examination.

10644. And they would not go to the University at all?—They would not go to the Indian University at all; they would go to the English University.

10645. And the same would hold good regarding the English boy?—Yes, I think the usual age is 18 there.

10646. You really want your examination to be a school examination and not a University examination?—That is so.

10647. I see you do not make any provision in the probation time for other subjects than those that are of a school or University character. If a successful candidate is receiving three years' probation in England, do not you think it would be necessary to give him something that would interest him in Indian life and Indian conditions so far as to prepare him for the work he is to do here?—I said that that could be done during either the three years or in a fourth year if necessary.

10648. Where would the fourth year be spent?—Also in England.

10649. You would spend the whole four years in England?—Yes.

10650. Do not you think it would be better to give him a part of his probationary period in India?—If it does not interfere with his training, but I think it will interfere with his proper training. He must be in England.

10651. You lay great stress on mere scholastic education. Do not you think, if the probationary period is going to be long, that you should attend to something else than mere book subjects? The law that you prescribe even is a book subject?—Yes, I wanted them to take the Law degree if they could.

10652. To bring them out here and get them tested in the Indian atmosphere to find out, as Mr. Strong suggested this morning, whether they are going to be capable administrators, in some way or other; have you thought of that side of the probation?—No, I have not.

10653. In reply to question (27) you say that the prize appointments are denied to the Indian members of the Civil Service. Is there a system in Bengal of reporting upon officers by their superior officers?—Yes.

10654. How often are those reports made?—There are several of them.

10655. Have you a rule that they have to be made once a year?—Yes, at least once a year, a Revenue Report and a General Report.

10656. And the method is that an officer, superior to the group or the individual reported upon, makes the report?—Yes.

10657. And he in turn is reported upon by an officer superior to him?—Yes.

10658. Where do these reports go to finally?—I suppose to the Government.

10659. Have you any reason for believing that those reports have any effect upon promotion?—I have never been in the Secretariat and do not know what happens there.

10660. But you know that these reports are made?—Reports go; I send them myself.

10661. You send reports regarding your subordinates?—Yes.

10662. Who may be Indian or may be Europeans?—Yes, both Europeans and Indians.

10663. (*Mr. Madge.*) You quite approve of the competitive system of examination?—Yes.

10664. Do you think it is an equally good test of both intellectual status and character?—It is a test of certain traits of character, not all.

10665. But you draw a distinction yourself later on between qualities of intellect and emotion. From that point of view, would you suggest any change at all in the competitive system with a view to a test of character?—I can think of no other test to take the place of competitive examination.

10666. You have thought of the subject?—Yes.

10667. Do you think that a test of that kind applied to all races would produce the same type of administrator?—I think so.

10668. You approve of simultaneous examinations in India, and I should like to know from what point of view you approach that subject. Is it because you think it would allay a certain kind of reasonable dissatisfaction in this country, or do you think it would give us an equally good stamp of Civil Servant?—It should certainly give an equally good stamp of Civil Servant. It is a question of time only. If you do not have the simultaneous examination, by the single examination in England in fifty years' time more Indians will get in. The more the eluci-

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tional system of India improves and approaches that of England, the more Indian students will get in. The simultaneous examination is simply accelerating the same process.

10669. You have said that they are all the better for a long stay in England?—That is because our educational institutions here are inferior to the educational institutions in England.

10670. Do you think that simultaneous examinations will raise the standard of education here?—I hope so. In future it will, and then there will be less necessity for sending them to England.

10671. Is it not a fact that education is lending itself more to examination-passes than to developing character?—That is a different side again. The Dacca University is going to be a residential University on the model of Cambridge and Oxford.

10672. That is in the womb of the future and you cannot judge from anything like that. It is your hope perhaps, but I am speaking of facts that have come within your personal knowledge?—In the course of the last twenty years there has been considerable improvement in the nature of the education in India.

10673. And you do not think it has been directed more towards passing examinations than towards developing character?—I find it is less and less a cram and affords much more opportunity for proper intellectual development.

10674. You attach some importance to Indians going to England and stopping there for a time?—Yes.

10675. An opinion has been given to the Commission that the later in life the man goes the better he develops a quality of observation which places him in a better position than if he went in the more impressionable years of his life. To which of these two opinions would you hold?—The former; that is to say, the later he goes the better for him.

10676. You do not think it desirable that a minimum proportion of European Civilian should be employed in the higher posts of the administration?—I certainly think it is desirable, but it is unnecessary to fix a limit; there will be always a very large proportion of Europeans in the Civil Service.

10677. In answer to question (24) you say that you do not consider a minimum proportion of European officers should be employed in the higher posts of the Civil administration?—What I meant by that "No" is that I would not fix any proportion. There cannot be a minimum proportion.

10678. Would you leave it to the discretion of the responsible Government from time to time as to how many they should have?—I would leave it to the result of the competitive examination.

10679. But the competitive examination passes all those who pass successfully and come out to this country?—Up to now we have had no limit, and I do not think having a simultaneous examination in India will affect the question to such an extent that there need be a limit.

10680. Do you think it desirable to maintain a British tone in the administration?—Undoubtedly, I do.

10681. Do you think that depends more upon a perfect machinery or upon the personality of the officers?—Upon both.

10682. Do you mean both equally?—Possibly more to the personality of the officers.

10683. With regard to your recommendation of Cambridge or Oxford, do you know anything about the Scottish Universities that would lead you to exclude them? I could see the advantage of the tone and traditions of Oxford and Cambridge, but is there any reason why the Scottish Universities should not produce a type of character equal to any other in Great Britain?—I objected to the Scottish Universities because they were not residential.

10684. That may be a serious objection, but is there nothing else about the Scottish Universities which enables them to produce first-class men?—I admit they produce first-class men but I want the men to live in a residential University. I do not know Glasgow much, but I know Edinburgh pretty well, and there they live in boarding-houses without any control whatever, and it is not good for probationers to live like that.

10685. Do you mean the Indians who go there or the Scottish students?—Both Indians and Scottish students.

10686. But there are Scottish students who come out from Edinburgh and fill very high posts in all the countries of the world, not only in Government service, but in commercial employment and elsewhere?—I admit that, and so they do from London and Calcutta Universities, neither of which are residential. Residential Universities have special advantages of their own, and I wanted to secure those advantages for the probationers of the Indian Civil Service.

10687. (*Mr. Abdur Rahim.*) Have you had much experience of Muhammadan Deputy Collectors?—Yes.

10688. Did you find them efficient officers as a class?—I was particularly fortunate with regard to the Mussalman officers with whom I have had dealings. With one exception only, they were very brilliant officers.

10689. Would you introduce competitive examination for the Judicial Subordinate Service?—I would if I had my way.

10690. Is that because the present condition of that Service is not satisfactory?—I am not capable of giving a competent opinion, but I think with a competitive examination better men will come in than can possibly come in by the nomination system.

10691. You are not in a position to say that the men in the Provincial Service, the Judicial branch, are not efficient officers?—I do not say that, and I have never said it. I said we would get even better men than we had now.

10692. You are proceeding upon theoretical grounds?—Theoretical and analogical.

10693. (*Sir Murray Hammick.*) I suppose your knowledge about educational matters is entirely confined to Bengal and England and you do not know anything about the educational conditions of Madras or Bombay?—None.

10694. When you say there is small chance of Indians getting in at this examination, in a very short time, in large numbers, you are really speaking from your experience of Bengal?—Entirely.

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10695. If in Madras you were told that there is every chance of Indians coming in in large numbers, you would not be able to contradict that statement?—I should certainly accept that statement if it were made, and then I would modify my opinion accordingly.

10696. I did not hear what special appointments they were that you said the Indian members of the Indian Civil Service had not been given a fair chance of. How many years' service have you had?—Twenty years' service.

10697. Speaking from the point of view of Madras, I do not know what special appointments an officer of 19 or 20 years' service would have an opportunity of getting?—Almost all the heads of departments here are junior to me.

10698. The heads of what departments?—Excise, Registration, Agriculture, Land Records, and so on.

10699. Your promotions are much faster in Bengal than with us?—They always have been.

10700. (*Mr. Bompas.*) A question was raised as to the meaning of Bengali-Hindus, with regard to the classification of those who had passed the examination. May I take it that all the Bengali-Hindus in the list were of the Brahman, Baidya or Kayastha caste?—No, I am not certain about one or two cases.

10701. They would not be drawn from all strata of the population?—No.

10702. I have had the figures put before me, and I find that there are five exceptions in 115. Therefore they do not represent all strata of the Hindu population?—No.

10703. With regard to the reports of officers, is it not the case that any officer's reputation with the Government depends on the report of a single officer who is superior to the officer reported upon, and that reports are made by the Collector, by the Judge, and by the Commissioner?—Yes.

10704. With regard to the question of degrading inefficient officers, would it not be more satisfactory to their feelings if they left the Service, provided they received a pension equivalent to the pay they would receive if degraded? They would be as well-off pecuniarily and they would not have to serve under their juniors?—If done under sufficient safeguards I have no objection to that.

10705. At the present time the degradations are done without any safeguards?—That is true.

10706. Are you in favour of examinations pure and simple as a method of recruitment both for the Indian Civil Service and for the Provincial Civil Service?—Yes.

10707. Although that may not lead at present to the representation in the Service of the various classes of population?—I think it does not.

10708. You are in charge of Raugpur?—Yes.

10709. And as Magistrate you have a large staff of subordinates under you?—Yes.

10710. Do you not think it any part of your duty to make an attempt to get represented on that staff the various classes of the population, that is to say, to get Muhammadans in

your office, even though they may not always be the most brilliant men, or would you be content to have an entirely Hindu office if they were slightly superior in intellect?—I have found among Mussalman officers men of brilliant abilities, and I have found Hindu officers of very mediocre ability. I want only efficiency.

10711. As District Magistrate you pay no attention to getting the different classes of the population of your district represented on your staff?—As far as I can do so. If the rules require it I have to appoint him, whether I wish it or not.

10712. Apart from the orders of Government you pay no attention to that?—I would not it I had my way.

10713. This examination for admission to the Indian Civil Service was framed for the admission of Europeans originally: the age, subjects of examination, etc., were for the European school-boy?—And Indians.

10714. But they were originally framed for the English school-boy and the Indian is admitted to the examination?—When the present rules were framed I think some consideration was paid to the needs of the Indian youth.

10715. But broadly speaking it was an examination to select Europeans to come out to India for service?—I cannot admit that. Europeans and Indians.

10716. Would you say it is possible, apart from other considerations, that the method of selection for Englishmen and for Indians for service in India might be different?—I cannot admit that.

10717. *A priori* you think it will be always the same?—If that system of examination is the best for the Indian Civil Service, it is best for every other service.

10718. You would recruit the high officers of a country always by an examination at the age of 19?—We have done so, so far.

10719. Do you think that the young Indian Civilian coming out may be at a disadvantage as compared with the English, owing to his age. You were put in charge of a district after five years' service when well under 30, and you had under you a large staff of officers, many of them of the highest intellectual and educational attainments, and many of them of the same social rank, and possibly of higher caste, in Hindu society than your own. Do you not think that an officer in that position might find it harder to exercise due control and discipline over men so much his superior in age and to his own rank and the caste of society than an English officer?—No, I do not think so, no more than an English administrator in England will find it, or a German administrator in Germany finds it, difficult to administer his own country.

10720. (*Mr. Mukherji.*) You have said that the appointment of Provincial Service men to listed posts has not been successful for two reasons: firstly, that men are appointed at too high an age, and secondly that they were not often the best selections. Would you tell the Commission if it is owing to any fault *per se* in the Provincial Civil Service men or is it owing to those reasons that the appointments have failed?—Certainly I do not find any fault with the Provincial Service men.

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[concluded.]

10721. In answer to question (24) you have given two grades, at Rs. 900 and Rs. 1,000. Do not you think there are too few men in the higher grades now?—I do think so.

10722. Has it been your experience that Deputy Magistrates in the Executive branch of the Provincial Service are as a rule overworked or harder worked than they need be, and that a larger number of men are required and an increase in the cadre?—Sometimes I feel so and at other times in some districts I do not feel so. In some districts the work is light and the number of officers large, and in others the work is heavy and the staff is small.

10723. So that you think a redistribution of officers might overcome the difficulty?—It might or might not; it is for the Secretary to Government to answer that question.

10724. You have recommended officiating promotions; it has been said that they would lead to a lot of trouble in the Secretariat and Accountant-General's office. Have you had any experience of that?—No, but I fancy that all that difficulty can be met by appointing a couple of clerks.

10725. You are aware that men of the Provincial Civil Service do not get first-class travelling allowances until they begin to draw more than Rs. 500, that is, until they are in the Rs. 600 grade. Do you not think they should be entitled to first-class travelling expenses irrespective of their pay? Subdivisional officers get first class allowance now whatever their pay, do they not?—They ought to get it.

10726. (Mr. Sen.) You say that the members of the Provincial Civil Service are, in your opinion, not as successful as District Judges and District Magistrates as Civilians. Does that remark apply particularly to executive officers or both judicial and executive?—It is of general application to both.

10727. You have said you were Judge only for six weeks, therefore how can you form such an opinion about Judicial officers?—By observing the holders of those posts during the last 20 years.

10728. How many have you come in contact with?—About six Judges and three Magistrates.

10729. Then in your opinion the Judges did not command as much influence as they should have done?—That is so.

10730. Do you think that Indian members of the Civil Service command as much influence as the European members of the Civil Service?—I should say yes.

10731. Do you mean to say that Indian Judges recruited from the Provincial Service are not as much respected as European members?—It depends a good deal upon the personality. There have been unfortunate cases in which they did not command the same respect.

10732. Of course you have not seen their work?—I have seen a good deal of their work, a good deal of their criminal work. The judgments in all sessions cases and criminal appeals and motions are sent to the Magistrate for perusal.

10733. You have not seen their civil work?—I have seen a good deal of their civil work too, civil work in which the Secretary of State was a party and in which I represented the plaintiff or the defendant.

10734. In your opinion they did not come up to a proper standard?—In criminal work they did not.

10735. In civil work?—I am not competent to give any opinion, because whenever I differed I appealed.

10736. Why do you think in criminal work they are inferior?—I cannot tell you the reason.

10737. Is it because they are vested late in life with the powers of Sessions Judge?—Whether the reason is any personal disqualification or any defect in the training or delay in the appointment I cannot say.

10738. Therefore, that is only your individual opinion after all?—That is all.

10739. You say you would also abolish the designations of Subordinate Judge and Munsif and call them all Deputy Judges?—Those designations are antiquated.

10740. Do you think the expression Munsif is out of date and should be abolished?—Yes. In the interior the word Munsif carries with it some sense of the old Munsif who was a Rs. 30 man, the same sort of officer as the Daroga.

10741. You say that Indian members of the Civil Service command as much influence as European members of the Civil Service, and also at the same time you say they are denied the prize appointments?—In the appointments that have been given to them they have kept the same respect.

10742. Why are prize appointments denied to them?—That is for the Government to answer. I do not know what motive the Government had in denying us these appointments.

(The witness withdrew.)

(Adjourned to tomorrow at 10-30 A.M.)

At Calcutta.

Friday, 24th January 1913.

ELEVENTH DAY.

PRESENT :

THE RIGHT HON. THE LORD ISLINGTON, K.C.M.G., D.S.O. (*Chairman*).

THE EARL OF RONALDSHAY, M.P.
SIR MURRAY HANNICK, K.C.S.I., C.I.E.
SIR THEODORE MORISON, K.C.I.E.
SIR VALENTINE CHIROL.
MAHADEV BHASKAR CHAUBAL, Esq., C.S.I.

ABDUR RAHIM, Esq.
GOPAL KRISHNA GOKHALE, Esq., C.I.E.
WALTER CULLEY MADGE, Esq., C.I.E.
FRANK GEORGE SLY, Esq., C.S.I.
JAMES RAMSAY MACDONALD, Esq., M.P.

And the following Assistant Commissioners:—

CECIL HENRY BOMPAS, Esq., Chairman of the Calcutta Improvement Trust.

SARADA PRASAD SEN, Esq., Additional Sessions Judge, Sylhet.
RAI BAHADUR PRIYA NATH MUKHERJI, Inspector-General of Registration, Bengal.

M. S. D. BUTLER, Esq., C.V.O., C.I.E. } *Joint Secretaries.*
R. R. SCOTT, Esq.

SIR HERBERT WILLIAM CAMERON CARNDUFF, Kt., C.I.E., Judge, High Court of Judicature, Calcutta.

Written answers relating to the Indian Civil Service.

10743 (1). What is your experience of the working of the present system of recruitment by open competitive examination for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—I believe that the present system of open competition in England and promotion from the Provincial Services in India is in the main sound. It will be conceded that the character of the administration must and should remain English, and that, consequently, the more important posts should be filled by officers imbued with that character. This qualification is, exceptional cases apart, to be looked for only in—(a) persons who have been educated in England and brought up in the atmosphere of life and thought in that country; or, though in a lesser degree, (b) persons who have acquired it in India through being trained under English officers in the English system of administration, that is to say, members of the Provincial Services, for the benefit of which, moreover, prospects of higher preferment ought to be kept open. Therefore regular recruitment ought to continue to be from these sources alone.

10744 (2). In what respects, if any, do you find the present system faulty in detail, and what alterations would you suggest?—A number of improvements suggest themselves, as the answers to the later questions put will perhaps best show. I refrain from attempting a detailed reply to this.

10745 (5). Do you consider that the combination of the open competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Service is or is not to the advantage of Indian interests? Please give your reasons?—I am inclined to approve of the combined examination, if only because it affords an easy and obvious test of the standard from time to time maintained for the Indian Civil Service. Thirty years ago the attractions of that Service were thought so highly of that men usually tried for it first and turned to the Home and Colonial Services only after they had failed for the Indian. This could hardly be said nowadays, and the change is significant.

10746 (6). If you do not consider the present system of recruitment by an open competitive examination to be satisfactory in principle, please state what alternative you would propose. Do you recommend a system based on any of the following principles:—(a) selection by head masters of schools approved or otherwise; (b) selection by authorities in universities approved or otherwise; (c) nomination by head masters or university authorities and selection under the orders of the Secretary of State; (d) combined nomination and examination; (e) any other method?—Please see my answer to question (1). I have a leaning towards nomination coupled with competition, and the success of nomination in the case of the Navy inclines me the more to it. But the circumstances of the Navy are exceptional; its pecuniary attractions are small and not such as to excite the envy of parents generally; the candidates have to be selected

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[continued.]

at an age too early for mere competition in an intellectual examination; and I find no answer to the objection that a system of nomination would probably have excluded some of those who have distinguished themselves most conspicuously in the Indian Civil Service.

10747 (7). What is your opinion regarding a system of simultaneous examination in India and in England, open in both cases to all natural-born subjects of His Majesty?—I am against simultaneous examinations. The chief reason is that they would be inconsistent with the maintenance of administration on English lines; and, apart from the practical difficulties involved, there are the other (to my mind) convincing reasons given by the Public Service Commission of 1887 and the then Secretary of State (Sir Henry Fowler).

10748 (9). What would be your opinion with regard to filling a fixed portion of the vacancies in the Indian Civil Service cadre by "Natives of India" recruited by means of a separate examination in India or by means of separate examinations in each province or group of provinces in India? If so, what proportion do you recommend?—I should be against recruitment on these lines, and for my reasons I would refer to my reply to question (1).

10749 (10). If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which "Natives of India" would be selected in India for admission to the Indian Civil Service by means of (a) nomination; (b) combined nomination and examination; or (c) any other method? If so, please describe fully what system you would recommend. In particular, do you consider it desirable that, whatever the system, all classes and communities should be represented? If so, how would you give effect to this principle?—I should be against recruitment on these lines, and for my reasons I would refer to my reply to question (1).

10750 (13). Do you recommend any separate method of recruitment for the Judicial Branch of the Indian Civil Service? If so, please describe the system that you would propose?—Subject to the suggestions I have to make for the better training of officers electing or chosen to serve in the Judicial Branch, I would recommend no separate recruitment for it. The experience gained by a judicial officer during the time when he is employed on general duties is, I think, invaluable.

10751 (14). Are you satisfied with the present definition of the term "Natives of India" in section 6 of the Government of India Act, 1870 (33 Vict., c. 3), as including "any person born and domiciled within the Dominions of His Majesty in India, of parents habitually resident in India, and not established there for temporary purposes only," irrespective of whether such persons are of unmixed Indian descent, or of mixed European and Indian descent, or of unmixed European descent. If not, please state fully any proposals that you wish to make in regard to this matter?—I would extend the definition so as to cover the subjects of Native States in India. Otherwise the definition, though artificial, seems to serve its purpose.

10752 (15). If the system of recruitment by open competitive examination in England is retained, please state the age-limits that you recommend for candidates at such examination, giving your full reasons. Do you consider that the age-limits should be fixed to attract candidates of the normal school-leaving age in England, or candidates who have completed a university course, or candidates at an intermediate stage of education? (16) What is your experience of the relative merits of the candidates selected under varying age-limits, particularly under the systems in force from 1878 to 1891 (age-limits 17—19 years, followed by two or three years' probation at an approved university) and since 1891 (age-limits 21—23 or 22—24 years, followed by one year's probation)?—[(15) and (16)], I am, on the whole, in favour of the finished product of the universities, and I would fix the age-limits so as to secure Honours men. The maximum might, however, be reduced to 23, and the year's probation at home might then be extended to two years. I should think that the one year now allotted for the study of both languages and law must be time thrown away; and, although there are objections to Civilians' beginning their service so late as at the age of 25, they seem to me to be outweighed by the advantages to be gained by a term of two years' probation spent in England. If the probationary terms cannot be extended beyond one year, then it should be confined practically to the study of law and attendance in the Law Courts to be evidenced by the reporting of cases. To the latter I attach enormous importance and think the greatest mistake was made in abandoning it. Judging from my own experience, I consider that the two years spent at Oxford after passing at the open competition of my time was exceedingly well spent. But it did not make "university men" of us, least of all of such of us as chose colleges at which there were a number of other probationers. These were generally in, but not of, their colleges and the university.

10753 (20). On what principle should the subjects for the open competitive examination be fixed? Do you accept the principle laid down by Lord Macaulay's Committee in 1854 and since followed, "that the examination should be of such a nature that no candidate who may fail shall, to whatever calling he may devote himself, have any reason to regret the time and labour which he had spent in preparing himself to be examined," and that the object should be to secure, not specialists in any particular subject that may be useful in a subsequent Indian career, but the ordinary well-educated young man of the period?—Subject to one reservation in connection with the study of law, I accept the principle laid down by Lord Macaulay's Committee in 1854, and I have no suggestions to offer. Regarding the subjects at present prescribed for the competitive examination. Practically every Civilian at every stage of his career is immediately concerned with the administration of law. That being so, it is essential that he should have, from the outset, a sound grasp of at least the elements of law and its first principles. I would, therefore, go the length of making this a compulsory subject at the open competition, and I would encourage a deeper knowledge of law by

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allotting high marks to a further and more advanced optional paper in it. I would, moreover, encourage probationers generally to enter the Inns of Court with a view to eventually call to the Bar. I would add that to me it seems very desirable that every Civil Servant should have, not only a fair knowledge of the law, but that respect for it which such knowledge brings. There is great danger to be apprehended from the attitude of the officer who pretends to despise the law and aspires to set himself above it; and I believe that more harm has been done by nothing else to the Indian Civil Service itself, not to mention the public, who have suffered the consequences from time to time.

10754 (23). Do you consider it necessary that certain posts should be reserved by Statute for officers recruited to the Indian Civil Service and, if so, what posts and for what reasons? Please state in detail what alterations (if any) you recommend in the Schedule of the Indian Civil Service Act of 1861 (24 and 25 Vict., c. 54). [Attention is invited to the provisions of the Indian Civil Service Act, 1861 (24 and 25 Vict., c. 54) and of the Government of India Act, 1870 (33 Vict., c. 3), reproduced as Appendices II and III to these questions.]?—My answer is that it is necessary, and that I have no recommendation to make for the revision of the scheduled posts. The statutory guarantee can, no doubt, be evaded by means of appointments made under the exceptional provisions of the Indian Civil Service Act of 1861 or under those of the Government of India Act of 1870; but nevertheless it must in practice help recruitment, and without it candidates of the right kind would probably not be attracted to the Service and the administration of the country would suffer.

10755 (24). Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the Civil Administration? If so, to what *proportion* of the posts included in the Indian Civil Service cadre do you consider that "Natives of India" might, under present conditions, properly be admitted?—I lay more stress upon education and upbringing than on colour, and so long as the higher posts are filled mainly by men recruited by means of open competition in England, the position seems to me to be secure, and this question is not of much practical importance. That is to say, unless the Service is allowed to fall into disrepute and its attractions to become worthless, it will probably be long before an unduly large proportion of successful candidates at the open competition are Indians, and what should be done when that consummation is anticipated seems to be beyond the range of practical politics. The Public Service Commission of 1886-87 was prepared to go the length of recommending that one-sixth (16·4 per cent.) of the higher posts might be made over to Indians, and that some advance might be made after the lapse of a quarter of a century. In Bengal, according to the last Civil List, there are now 161 European and 13 Indian members of the Indian Civil Service, and 20 scheduled appointments (including Assistant Sessions Judges) are filled by Indians. The result is that there are in the higher posts 161 Europeans and 33 Indians

(17 per cent.), whereas for the whole of India apparently the figures are 1,444 Europeans and 162 Indians, and the proportion is 11 per cent.

10756 (25). Do you accept as generally satisfactory in principle the present system under which "Natives of India" are recruited partly through the medium of an open competitive examination in England, and partly by special arrangement in India, in accordance either with rules framed under the provisions of section 6 of the Government of India Act, 1870 (33 Vict., c. 3), or with the provisions of the Indian Civil Service Act, 1861 (24 and 25 Vict., c. 54)? Do you recommend any alterations in this system and, if so, what?—My previous answers will show that, in my view, the present system should be continued. To abandon it in favour of the revival of the old system of appointing Statutory Civilians would mean ruin to the Provincial Services, which, on the contrary, ought to be strengthened and improved. But I think that the present system is faulty and has not been very successful, because under it officers of the Subordinate Services are appointed at too late a stage of their careers, when, indeed, their day is past. To limit myself to the case of the Judicial Service, in which I am most interested, I think it should be possible to select promising Munsifs, to mark them out as probationers for listed posts at once, and to employ them regularly as Assistant Sessions Judges for some years. I would be most careful at the same time not to neglect the senior Subordinate Judges, one of whom should, I am strongly of opinion, always find a place on the Bench of the High Court. Subordinate Judges have elsewhere occupied, and are occupying, such positions with great credit, and I should be sorry to think that there has ever been a time when one could not equally well be found in the ranks of the Provincial Judicial Service in these provinces.

10757 (27). Have the "Natives of India," recruited by means of open competition in England, proved, on the average, as efficient as the European members of the Indian Civil Service of the same standing and recruited in the same manner? Has it been found possible and expedient to employ them in all Branches of the Administration, whether on Executive or Judicial duties?—Judging by actual results so far, I think that the reply must be in the negative. It apparently has not been found possible to appoint Indian members of the Indian Civil Service ordinarily to the higher Executive posts, such as Commissionerships, Memberships of the Board of Revenue and Secretaryships; and, as regards the Judicial Branch, no such Civilian has ever been appointed permanently to the Calcutta High Court, while only two have risen to be Legal Remembrancers. It has struck me that the best Indian officers are those who have received a substantial part of their education in England.

10758 (28). Do you consider that the old system of appointment of "Statutory Civilians" under the Statute of 1870 should be revived and, if so, what method of recruitment would you recommend?—I have already indicated that I am against the revival of the system of recruitment by appointing Statutory Civilians. On the other hand, I contemplate a continued advance in the appointment of highly-qualified Indians to

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the highest posts through the Statutes of 1861 and 1870.

10759 (39). Have the officers of the Provincial Civil Service, selected to fill listed posts, proved on the average as efficient as members of the Indian Civil Service filling posts of similar responsibility, and has it been found possible and expedient to employ them in all Branches of the Administration?—I think it impossible to say that officers of the Provincial Services selected hitherto to fill the listed posts have proved on the average as efficient as members of the Indian Civil Service, and I have already—see my answer to question (25)—indicated what I think is the reason of their non-success.

10760 (43). What is your experience of the results of the existing system under which successful candidates in the open competitive examination are required to undergo a probationer's course of instruction in England? Do you recommend the continuance or abolition of this system? (44) What should be the duration of the probationer's course in England (a) under the present system of the open competitive examination, (b) under any modification of that system recommended by you? (45) Do you consider it desirable that probationers should be required to spend their period of probation in England at an approved university? (52) In particular, please state your opinion as to the desirability during the period of probation of (i) compulsory attendance at Law Courts in England and reporting of cases; (ii) the teaching of Indian Law in addition to the general principles of Jurisprudence; (iii) the teaching of the grammar and text-books of Indian languages with or without any attempt at colloquial instruction; (iv) the teaching of (a) Indian Geography, (b) Political Economy, (c) Accounts. (53) Do you consider that the probationer's course of instruction can best be spent in England or in India?—[(43)—(45) and (52)—(53)] I am in favour of a two years' course of probation in England, and I think it should be spent at a university. If, however, only one year can be spared, and it is, as I have recommended, devoted to the study of law and attendance in the Law Courts, then it must be spent in London. My personal experience is that I learnt more and derived more benefit from such attendance and the reporting of cases during my two years' probation than from any other source. I would in any case retain a probationary period in England even were it for no other reason than that it affords an opportunity for discrediting a candidate who turns out to be after all undesirable.

10761 (64). Please give your views as to what steps (if any) are necessary to improve the proficiency in the knowledge of law of members of the Indian Civil Service, distinguishing between recommendations applicable to all officers and to officers selected for the Judicial Branch. In particular, do you favour a system of granting study-leave to Europe and, if so, what course of study (course for a call to the Bar, reading in Barristers' Chambers or other), and what conditions do you propose? (65) Do you recommend any special course of study in law in India for officers selected for the Judicial Branch? (66) Do you recommend any special

training in subordinate judicial posts for officers selected for the Judicial Branch? If so, please give details. (67) Do you recommend any system for encouraging the higher study of law analogous to the rules for the encouragement of the study of Oriental languages?—[(64)—(67)] I think that more attention to the study of law is required of all members of the Indian Civil Service, and I have already said so—see my answer to question (20). As regards members of the Judicial Branch there is now, I believe, a strong consensus of opinion, both in the Service and out of it, in favour of the provision of facilities for a deeper study of law and the acquisition of practical experience of its application in the courts. A Civilian begins deciding cases almost from the commencement of his career; and the experience he thereby gains in weighing evidence and considering the *pros* and *cons* from what ought to be, and no doubt, usually is, an impartial standpoint, must surely be of great value and calculated to help him in the end to be a good Judge generally and certainly a sound Judge of facts. And I am not prepared to admit that the only training for the Bench is practice at the Bar; for although that is so under the English system, the English system is, I believe, the exception rather than the rule. Still a Judge who has never practised at the Bar must look at things rather too much *de haut en bas* and will perhaps fail to understand and do justice to cases regarded from the litigants' point of view; and that fault is, I think, to be discerned in Civilian Judges. Then the Bar in India is becoming stronger every year, and it is now no uncommon thing to find a large number of barristers, besides highly-qualified and capable vakils and pleaders, regularly practising in the mufassal courts. A Civilian Judge cannot hold his own with confidence and dignity against such an array unless he has himself some pretensions to being a lawyer. And yet, under existing conditions, a young Civilian who has probably never been in a civil court in his life has, on his first appointment, to officiate as a District Judge, to dispose, in court, of appeals from the decisions of Munsifs and Subordinate Judges, who are themselves professional lawyers and have been trying civil suits for years. I believe that a Judicial Service is in India a necessity and that no workable scheme of recruitment for District and Sessions Judgeships from the Indian Bar is feasible. And I see no reason why the Civilian Judge should not have his defects speedily removed and be enabled to become all that is desired. But it is imperative that steps should be taken to secure that he has (a) an adequate equipment of legal knowledge at the outset, (b) an opportunity for acquiring experience in civil cases before he becomes a District Judge, and (c) facilities for extending his knowledge of law by special study at a later stage and the scheme I would put forward is this:

(i) For the first six years or so, officers should be employed, as hitherto, in the general administration. The experience thus gained not only will be useful to the future Judge, but is necessary for him.

(ii) In his seventh year, an officer should be able to select the Judicial Branch.

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(iii) At the end of his seventh year, he should be given one year's furlough to count towards pension and to be prefixed to the furlough admissible to him under the Civil Service Regulations.

(iv) He should spend his furlough at home reading for at least a year in chambers with an approved barrister and at least passing all the Bar examinations.

(v) He should be given substantial pecuniary assistance in order to enable him to go through this course, the hundred-guinea fee for chambers and the Bar fees being advanced conditionally on his success.

I attach much importance to the reading in chambers, and not a little importance to being called to the Bar. It is true that a mere call at one time imparted no legal knowledge whatever, and that even now, although the examinations are real, it does not impart much. But I cannot imagine any officer of seven or eight years' standing in the Indian Civil Service going through the present course seriously (and he would surely take it seriously) without profiting immensely thereby. Moreover, the call is the hall-mark; and in India, where status counts for so much, and where, as I have remarked, every District Court is now full of barristers-at-law, I think it is a distinct advantage to the presiding Judge to be himself a member of the Bar.

10762. (92) Are the present rates of pay and grading suitable? If not, what alterations do you recommend?—Pay in the Indian Civil Service has not, like the pay of other Services, been improved; the rupee has deteriorated in value; the cost of living has doubled or trebled; and the calls upon the Civil Servant are greater rather than less. The supply, however, has not failed, and I think it would be futile to suggest an increase of pay all round. But there are certain reliefs which may well be claimed, and these will now be noticed.

10763. (108) Is all the furlough due to them ordinarily taken by officers of the Indian Civil Service? Is it necessary to allow for as much furlough as is permissible by the present rule? If not, what change do you suggest? (109) Do you consider that the rates of furlough allowances are suitable? If not, what changes do you recommend? (110) Do you recommend any change in the concession granted in 1893, under which leave allowances expressed in rupees, other than privilege leave allowances, issued at the Home Treasury or in a Colony with a gold standard of currency, are issued in sterling at the privilege rate of exchange of 1s. 6d. the rupee? If so, what change? (111) Do you consider that the maximum and minimum limits of leave allowances at present fixed are suitable? Do you recommend any change in the alternative rates fixed in sterling and in rupees and, if so, what change? (112) Have you any recommendation to make in regard to special leave, extraordinary leave without allowances, and other forms of leave? Do you consider that the present conditions governing these kinds of leave and the leave allowances admissible are suitable? (113) Generally speaking, do any of the present leave rules applicable to the Indian Civil Service cause inconvenience to the Administration and, if so, what, and what remedy do you suggest?—

[(108)—(113)]. Officers do not, as a rule, take anything like all the furlough due to them, and often take far less than they ought to take, simply because they cannot under the altered conditions afford it. The maximum of £1,000 a year presses very hardly on the senior officers, and ought, I submit, to be removed. The present leave rules are subject to many irritating and useless restrictions, such as those that limit the combination of various kinds of leave and prevent the grant of furlough till completion of eight years' service or within eighteen months after return from privilege leave. Until recently a High Court Judge could not combine ordinary leave with the vacation, and a Judge had to return to India and sit in Court on the last day of the term and then return to England for the vacation or spend the latter in India. At last the concession was made that one vacation may be *either* prefixed *or* affixed to leave; but beyond that the Secretary of State has found it impossible to go, and a Judge is still prevented from prefixing one vacation and affixing the next, although, so far as appears, no one benefits in any way by the limitation. I submit that officers should be permitted to draw on any leave to their credit without any restriction other than that imposed by the exigencies of the administration.

10764-5. (118) Is the present system of equal annuities to all members of the Indian Civil Service generally accepted as satisfactory by the Government and by the members of the Indian Civil Service? (119) Would a non-contributory system of superannuation pensions, varying in amount with the amount of salary drawn at the time of retirement, be preferable in the interests either of the Government or of the members of the Indian Civil Service?—[(118) and (119)]. There is, I believe, a strong feeling in the Service in favour of a higher pension being admissible to Civilians (other than High Court Judges) who have held such important appointments as Lieutenant-Governorships or memberships of Council. The attraction, *par excellence*, of the Indian Civil Service is supposed to be the pension of £1,000 a year after 25 years' service, including 21 years' actual service. And yet the pension is illusory and really inferior to the pensions that can be earned in other Services. A Civilian who retires after an ordinary career of 25 years in the Service has contributed half of the thousand pounds himself: if he holds prize appointments he has probably time before he retires to contribute the whole! Compare this with the case of a barrister Chief Judge of a Small Cause Court, who subscribes nothing and earns after 15 years a pension of £750 sterling. In the case of a Civilian High Court Judge the position is still more peculiar. He has, as a rule, fully earned the ordinary pension of £1,000 a year before he enters the Court. He nevertheless is forced to contribute 4 per cent. of his salary as before, the result being that he actually draws Rs. 160 a month less than his colleagues who are barristers or vakils, and earns in the end, after 11½ years' actual work in the Court, an addition of £200 a year to the ordinary pension. In other words, a barrister or vakil draws Rs. 4,000 a month without any deduction

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for pension and earns £1,200 a year after 11½ years in the Court: a Civilian has to contribute Rs. 160 a month in order to gain £200 a year after the same term. This seems to me to be scarcely defensible, and the anomaly should surely be abolished. I understand that civilians when they become Members of Council are no longer required to contribute towards pension. I should add that a Civilian Judge cannot earn a proportionately higher pension by serving for a part of the 11½ years. A barrister or a vakil retiring on medical certificate after six years earns a proportionate pension.

10766. (125) Do you consider the existing pension rules suitable in the interests both of the Government and of the members of the Indian Civil Service? In particular, what is your opinion of the present rules regulating voluntary and compulsory retirement?—The present maximum medical pension is £700 a year after 25 years' total service* of which 21 must have been active. This limit imposes an extremely severe penalty on an officer whose health breaks down towards the end of his time. I cannot understand why a proportionate pension should not in such a case be granted.

10767. (137) Have you any other proposals to make in regard to the Indian Civil Service not covered by your answers to the above questions? If so, please explain them?—There is a general feeling amongst members of the Indian Civil Service—and I share it—that membership of the Governor-General's Council should be a bar to further employment in India and should never lead to a Lieutenant-Governorship.

Written answers relating to the Provincial Civil Service (Judicial Branch).

10768. (1) Please refer to Government of India Resolution No. 1046—1058, dated the 19th August 1910, defining the general conditions which should govern recruitment to the Provincial Civil Service, and reproduced as appendix A. Are these conditions suitable, or have you any recommendations to make for their alteration?—The conditions referred to are suitable.

10769. (2) Please supply a copy of the Rules for the Recruitment of the Provincial Civil Service in force in your province. Are these rules suitable, or have you any recommendations to make for their alteration? (9) What is the system of training and probation adopted for officers of the Provincial Civil Service? Do you consider it satisfactory and, if not, what alterations do you recommend?—[(2) and (9)]. Subordinate Judicial officers are recruited under rather elastic rules from the Bar. Under these rules and the Civil Courts Act of 1887 the High Court nominates and the Local Government appoints on the High Court's nomination. Candidates are first enrolled and must be at least Bachelors of Law who have practised for three years and are under 27 years of age. They are appointed first to officiate in leave-vacancies, and such an appointment must be obtained before the age of 29 is attained. The only objection I have

to the system is that officers enter the Service too late in life and have barely time to qualify for pension by the age of 55. And this seriously detracts from the attraction of the Service, with the result that good men are deterred from seeking admission into it. A pleader who is doing anything at all at the Bar at the age of 27 would not think of accepting an officiating appointment, and I fear that a Munsifship is the last resort of the junior without briefs and without ambition. I think that an improvement might, without any real objection, be effected by reducing the three years' practice prior to enrolment to say one, or even dispensing with the qualification altogether. My reasons are two—

(a) The qualification is illusory. Only an exceptional man secures any practice during his first three years, and such a man will certainly not seek enrolment. (b) There is plenty of time—probably four or five years—for practice after enrolment and permanent appointment.

10770. (16) To what extent is any system of selection for appointments to the higher grades enforced? Is any change of practice required in this respect?—Promotions are made invariably on and in accordance with the recommendations of the High Court, and the system of selection is enforced, more particularly in connection with promotion from the first grade of Munsifs to the third grade of Subordinate Judges and from the second grade to the first grade of Subordinate Judges.

10771. (17) Are you satisfied that under the existing system of promotion the interests of individual officers and of the administration are duly reconciled, and have you any suggestions to make regarding it, particularly on the subjects of selection for higher appointments and of the compulsory retirement of inefficient officers?—I consider that at least one of the seats on the High Court Bench should always be occupied by a member of the Subordinate Judicial Service. This alone, if it were agreed to, would go far towards increasing the popularity of the Service and encouraging the members of it. As it is, I am sure they feel the stigma attaching to the fact that only once, I believe, has one of them been a High Court Judge, and then only for a brief period.

10772. (19) Are you satisfied with the existing arrangements by which certain posts, ordinarily filled by members of the Indian Civil Service, are listed as open to officers of the Provincial Civil Service of proved merit and ability, and is the system followed in making appointments to these posts suitable? If not, what alterations do you suggest?—I would here refer to what I have said in my reply to question (25) of the questions relating to the Indian Civil Service.

10773. (24) Are the existing rates of pay and grading in the Provincial Civil Service of your province adequate to secure the desired qualifications in the officers appointed? If not, what alterations do you recommend? (36) Have you any recommendations to make in regard to special leave, extraordinary leave without allowances, and other forms of leave? Do you consider that the present conditions governing these kinds of leave and the leave allowances admissible are suitable?—[(24) and (36)]. Although there is, it must be admitted, no

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falling off in the number of applicants with the prescribed qualifications, nevertheless I think that we are not securing as good recruits now as formerly, and therefore, I consider that some improvement in the rates of pay and some rearrangement in the grading of the Subordinate Judicial Service is called for. The pay of the lowest grade (Rs. 200) should surely be raised to that allowed (Rs. 250) for the lowest grade of Deputy Magistrates, and I am inclined to think that, in order to secure regularity of promotion, a time-scale should be introduced so as to ensure a

salary of, say, Rs. 40) after ten years' approved service. Another recommendation I would make is that Subordinate Judicial officers should be allowed privilege leave on full pay like other officers. It is true that they enjoy an annual vacation; but it is very different from the long vacation enjoyed by officers of the Educational Department. It extends to only one month, which includes the Puja holidays enjoyed by Executive officers, and the loss of full pay is a heavy penalty to pay for the balance.

SIR HERBERT CARNDUFF called and examined.

10774. (*Chairman.*) You are a Judge of the High Court?—I am.

10775. How many years have you occupied your present position?—I have been over four years a Judge of the High Court, and I am in my thirtieth year of service.

10776. How many years of that service have been devoted to the Judicial Branch of the Service, and how many to the Executive?—For four years I was Registrar of the High Court, for ten years I was in the Legislative Department of the Government of India, for over three years I was a District and Sessions Judge, and for four years I have been a High Court Judge. Before that I was a Magistrate in the ordinary course.

10777. Your answers to the questions indicate a leaning on your part towards nomination, but on the whole are in favour of the present system of open competition?—Yes. My feeling is that the proposed nomination now would be almost impossible. Nobody would listen to it.

10778. I also gather from a remark you have made that, even if a system of nomination could be established, it might possibly exclude some of those who were likely to distinguish themselves most conspicuously in the Indian Civil Service?—I think that would be so.

10779. That is a strong argument in favour of maintaining open competition as against nomination?—Yes.

10780. You are opposed to the proposal to hold a simultaneous examination in England and in India?—Yes, I am strongly opposed to that.

10781. You feel that if such an examination were established, there would be no certainty in years to come of ensuring that European element in the Indian administration which you regard as essential?—Yes.

10782. Do you feel that there would be a risk, say, in the next ten years, of an undue proportion of Indians succeeding at such an examination, and thereby upsetting the balance?—Decidedly, in the very near future. I think the Indian is particularly capable in the examination room.

10783. You do not agree with those who take the other view, that it would be generations before they would be able to compete successfully?—By no means.

10784. You are in favour of open competition in England for the Indian Civil Service, supplemented by nomination from the Provincial Service?—Yes.

10785. Do you mean by your answers that you are in favour of the listed post system but that you are not in favour of a system, which would allow the appointments of persons who stand outside the Provincial Civil Service to a quarter of the listed posts?—I think those would be the exceptional cases. The ordinary recruitment should be from the Provincial Service. But in exceptional cases persons could be appointed who are not in the Provincial Service.

10786. And those cases would be very exceptional?—Not necessarily very exceptional, but exceptional, distinctly; probably as time went on less and less exceptional.

10787. Would you be prepared to say that, speaking generally, the time had arrived for transferring to Indian agency more than the present proportion of one-sixth of the higher posts?—No: I should say not.

10788. You think that that proportion is sufficient for to-day, and for years to come?—At the present moment certainly it would be sufficient.

10789. You would reduce the present age-limits for the open competitive examination to 21–23, and thereby extend the period of probation from one year to two years?—Yes. I think that the probation ought to be for two years at home in England, judging mostly by my own experience. My own experience was that in the first year one was just beginning to settle down at Oxford, and the second year was the year in which one really derived most benefit. Besides, I do not see how languages and law can be learnt at all in one year.

10790. Would you be prepared to say, from your own observation, that the men who come out after only one year's probation come out with an inadequate intellectual equipment?—I am afraid I do not feel in a position to express an opinion upon that. I have not seen enough of the recent arrivals to be able to form any opinion.

10791. Do you think that a period of probation in India should be prescribed for a young Civilian before he takes up his active work?—I think he learns his work best by beginning actual work as he does at present. The most important thing is that he should be under a sympathetic Collector who would take the trouble to teach him. If that is secured, then I cannot imagine any better way of training a young Civilian than the present system.

10792. The present system of giving him active work under close supervision?—Under sympathetic supervision.

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10793. You recommend the bifurcation of the two branches at the end of the seventh year, do you not?—Yes.

10794. What would be your objections to the bifurcation taking place, either immediately after the competitive examination, or, say, after three or four years of Executive work?—I think that five or six years' training in general administration is most valuable, even to a Judge, afterwards. He obtains a knowledge of the country and the people in those years, which is very valuable to him afterwards.

10795. You do not think he could obtain that general knowledge in less than six or seven years?—I should say five to seven years; I do not wish to put it at exactly seven years; I should put it at not less than five years.

10796. You suggest study-leave, do you not?—Yes, I am in favour of that.

10797. After his study-leave has expired, would you suggest that an officer should take up Judicial work immediately?—Yes.

10798. He should take up the position of a Munsif for a year?—Yes, for more than a year; for a year or two as a Civil Judge. He ought to try original cases as a Munsif or Subordinate Judge.

10799. Do you suggest that during the year of study-leave he should be on full pay?—Not on full pay, but it should count as service. There ought to be liberal allowances, but I would not go the length of saying that there should be full pay.

10800. You would give him a sufficient allowance to enable him to maintain himself?—Yes, and to cover all expenses connected with reading for the Bar and Chambers.

10801. In the course of your answer to question (27) you say that Indians have not filled certain high posts. Do you know of any cases in which an Indian has become due for promotion to those posts, and has not been promoted to them?—Certainly.

10802. Therefore, it is not because Indians have not been available that they have not been appointed?—No, I take it that they have been found not sufficiently good, and have been superseded on various occasions.

10803. In answer to question (39) you say, "I think it is impossible to say that officers of the Provincial Service selected hitherto to fill listed posts have proved on the average as efficient as members of the Indian Civil Service". The reason you hold that opinion is that under the listed post system the Indian reaches such posts too old?—Yes, he has not been given a fair chance in the listed post system on that account.

10804. Do you think that the system is susceptible of material improvement?—I think so. I think it would be possible to select a senior Munsif, and make him an Assistant Sessions Judge, and train him at once for promotion in the future to be a District Judge, and train him as an Assistant Sessions Judge. At present a Subordinate Judge, who is probably over 50 years of age, is appointed a District Judge for the first time. He has had no experience whatever of criminal law and as a Sessions Judge, he is very much at sea. As a District Judge, of course, there is not the same objection, nor the same

difficulty; but as a Sessions Judge he is absolutely inexperienced, and he is not a good Sessions Judge.

10805. In dealing with leave pay, in your answer to question (113) you say, "The maximum of £1,000 a year presses very hardly on the senior officers, and ought, I submit, to be removed." How much higher should the maximum be?—I am not sure that I can go the length of saying that it ought always to be half pay; but I should personally be satisfied if the maximum were raised to £1,500 a year. One thousand pounds a year at home now is not really very much for a man who is accustomed to good pay in India, and has to keep up a certain position. In addition to that, account must be taken of the fact that he has to pay for his passage home and back, and that he is supposed to be enjoying himself on leave. I think £1,000 a year is really a very low maximum.

10806. In answer to question (119), on the subject of pensions, you say that, "A Civilian, who retires after an ordinary career of 25 years in the Service, has contributed half of the thousand pounds himself". Is that statement of yours based upon any actuarial calculation?—It is not made by myself; but I have always understood that that is the case, admittedly the case.

10807. It has been submitted to us that the amount of pension represented by the 4 per cent. deduction is a great deal less than £500?—I have not tested that myself. I have always understood that that was the case. I understood that it was fixed actuarially on that basis.

10808. You say,—"I understand that Civilians, when they become Members of Council, are no longer required to contribute towards pension"? Is that a fact?—A Member of Council has told me so.

10809. In reply to question (137) you say, that "Membership of the Governor-General's Council should be a bar to further employment in India and should never lead to a Lieutenant-Governorship". Why have you come to that opinion?—There is a general feeling, I think, that they would be more independent, if they had nothing further to look forward to in India.

10810. So you would reverse the usual order and let officers be Lieutenant-Governors first?—Yes.

10811. Would you leave it open to Lieutenant-Governors to become Members of Council?—I see no objection to an officer being a Lieutenant-Governor first, and then a Member of Council; because a Member of Council is part of the Government of India, he is really in a higher position than a Lieutenant-Governor.

10812. What is the objection to a Member of Council becoming a Lieutenant-Governor?—He is supposed to be a less independent member of the Government of India, more anxious to please than he otherwise might be. That is the feeling in the Service, and I share it.

10813. (Sir Murray Hammick.) In answer to question (13), you say, "Subject to the suggestions I have to make for the better training of officers electing or chosen to serve in the Judicial Branch, I would recommend no separate recruitment for it." I suppose you have not read the evidence given before the Commission by

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Sir Arnold White, the Chief Justice of Madras, with reference to Civilian Judges in the High Court. I should like to ask you whether you are of his opinion. He said, "I do not desire to see any amendment of the High Court Act as regards the proportion of Civilian Judges. A large amount of administrative work is done by the Judges of the High Court. There are branches of this work which can be done more satisfactorily by Civilian Judges with their practical experience and knowledge at first hand acquired as District Judges and in other capacities than by Judges appointed from the Bar. There have been Civilian Judges in no way inferior in their knowledge of the law to Judges appointed on the strength of their legal attainments. But even when a Civilian Judge is not, and does not profess to be, a learned lawyer, his knowledge, experience and training, both outside the law and as a District and Sessions Judge, would make him a very useful member of an appellate tribunal in this country. The Civil element, which the Civilian Judges supply, is to my mind of great value in the general administration of justice by the supreme appellate tribunal so far as this country is concerned. A Civilian Judge, as a rule, finds no difficulty in working with a Judge who has been a professional lawyer, and the professional lawyer finds no difficulty in working with the Civilian Judge. Each may have his special point of view, each his special qualities, and probably the defects thereof. The habit of mind may be different, but, where a 'Bench' is constituted of a Civilian and a non-Civilian Judge, the joint out-turn is, I believe, often more satisfactory than when both Judges are of the same class. I have gone beyond the scope of the question, but I thought it desirable to place my views on this matter on record." Do you agree with those remarks of Sir Arnold White?—Yes, I should think they are sound and practical.

10814. Referring to your answers to questions (15) and (16), with regard to the age of Civilians coming out at 23, one suggestion which has been made is that it might be better if the universities at home would admit a passed candidate at the open competitive examination to take the course for a law degree, the examination for that degree being slightly modified to meet Indian conditions by adding to it a certain amount of Indian law, whether it would not be better to fix the age of examination at, say, 17 to 19 and compel all the successful competitors to go regularly through the university course, taking the degree of law at the end, and come out to India, say, at the age of 23: the one advantage of that system being that the Civilian would arrive at 23 instead of 25, which is considered by some to be somewhat late. Do you think such an arrangement would be possible and advantageous?—I think it would be advantageous; but I am not in a position to say whether it would be possible or not.

10815. You think that would be a good suggestion if it could be carried out?—Yes, I think so.

10816. In answer to question (25), I understand that you are entirely against any revival of the Statutory Service?—Yes.

10817. Your whole proposal seems to amount to an increase in the number of listed appointments, and the appointment of men to those appointments at an earlier age than is now the case?—Yes.

10818. Have you considered at all whether it would be possible to form a separate Service consisting of a certain proportion of appointments which now go to the Indian Civil Service, together with the listed appointments, and passing a certain number of Indians into that Service by competition, and preserving a certain proportion for promotion from the Provincial Civil Service, and making it a separate Service for Indians?—My objection to that would be that it would be a separate Service, and that it would not have the same status as the Indian Civil Service.

10819. That is what I wanted to get from you. You think it would be possible as regards such Service as that, that even if they were given the same pay, and put in parallel lines with the Indian Civil Service list,—even with that you think that the Service would always bear the disadvantage of being more or less an inferior Service?—Yes, I think so.

10820. That is to say the Service would not bear, in relation to the Provincial Service, the superior reputation which it ought to do?—No, it would not.

10821. Do you think it would be open to grave objections from that point of view?—I think so. Even if you had simultaneous examinations, I think the Indians appointed in India would not have the same position, or be accorded the same position, as the Indians who passed in England.

10822. You also think that any course of that sort would tend to lower the Provincial Civil Service?—Undoubtedly, that would be another objection: it would lower the Provincial Service. It would be a third-rate Service instead of a second-rate Service, one might say.

10823. In answer to question (39) you say, "I think it impossible to say that officers of the Provincial Services selected hitherto to fill the listed posts have proved, on the average, as efficient as members of the Indian Civil Service." We received at Madras, as regards the Judicial Service, a great deal of evidence to say that for the first few years of the career of an Indian Civil Service officer as a Judge, owing to his want of training, the Civil part of his work was distinctly inferior to the work done by a promoted Provincial Service officer. Is that your experience too?—Yes, I agree.

10824. On the whole, you think that after the Civil Service officer has got a certain experience of his work, he does his work at all events as well as the Provincial Service officer?—Yes.

10825. Can you tell me, in an ordinary Bengal district, how many courts the District Judge has under him; how many Munsifs and Subordinate Judges?—To take my last district: I was in Patna, and there were three Subordinate Judges and five Munsifs subordinate to me when I was District Judge.

10826. I suppose there was a great deal of work which fell to you which was not of a

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judicial character, but which was more or less of an administrative character?—Yes.

10827. You appointed the clerks to higher posts; it was done under your sanction?—Their promotion was in the hands of the District Judge.

10828. I suppose you had to report to the High Court any cases of misconduct, if any such occurred, amongst any in this subordinate establishment?—Yes.

10829. And probably you had confidential reports upon the work of your Subordinate Judges and Munsifs?—All of them, yes; and I had to inspect.

10830. You also had to inspect the Courts?—Yes.

10831. In answer to question (67) you say, "the Bar of India is becoming stronger every year," but is it not a fact that English barristers are decreasing rapidly; is that not so?—Yes.

10832. In Bengal as elsewhere?—Yes.

10833. Mr. Sinha yesterday in his examination before us said that he did not recommend sending Judges home at all for training, and that he considered that what was necessary was practical training rather than any theoretical study of law, and he proposed that District Judges who required training to discharge their work should be attached to the High Court for a year; and that the Chief Judge should make arrangements for them in the Courts, and they should discharge the work of a Munsif for about two years, and then work as a Subordinate Judge for two years, but that they should not be allowed to go home or given any privileges in the way of reading for the Bar. Do you agree with that view of Mr. Sinha's?—No, not at all. I think the great thing is to be in touch in England with the English Bar, and in touch with its traditions and with the whole atmosphere of the English Bar.

10834. In answer to a question which was put to him he seemed to think that probably a large proportion of the Judges who went home to read would take advantage of being at home, and not honestly carry out the duties of reading in order to improve themselves?—I should be very sorry to think that that would be the case. I do not think that that would be the case. I think, as I have said somewhere in my evidence, that a Civilian of seven or eight years' standing would take it very seriously.

10835. (*Sir Valentine Chirol.*) You said in reply to the Chairman that you thought the time had not arrived for increasing the proportion of Indians in the Civil Service beyond the proportion, which I think you mentioned, of one-sixth?—Yes.

10836. Would you give us, a little more fully, your reasons for thinking that the time has not yet arrived?—My real reason is that at the present time there is a good deal of unrest in India, and the difficulties of administration are very great; and I think that the European element is no larger than it ought to be at the present moment.

10837. That is a new consideration which has arisen since the last Commission?—Yes, since 1887.

10838. You think it is one which it is essential should be taken into account in this connection?—I think so.

10839. Do you attach special importance to the fixing of the definite proportion?—No, I do not attempt that.

10840. In answer to question (67) you say, "I am not prepared to admit that the only training for the Bench is practice at the Bar; for although that is so under the English system, the English system is, I believe, the exception rather than the rule"?—Yes.

10841. Is it not a fact that in all the chief European countries the Bench is not recruited from the Bar?—I believe so.

10842. What is called the "Magistrature" in France is an entirely different career?—Yes: I understand so.

10843. And also in Germany?—I believe so, and also in Italy.

10844. (*Mr. Abdur Rahim.*) Will you kindly give me your opinion with regard to the Calcutta Bar? Do you consider it is an efficient Bar?—Certainly.

10845. Has it the reputation of being a very strong Bar?—Yes, it is a very strong Bar.

10846. I should like to know what your view is as regards the Bar being a good training ground for Judges?—It is a good training ground for Judges, but it is not the only training ground for Judges.

10847. I will come to that; you think it is a good training ground?—Yes, certainly; I think it is a good training ground. I could not say that it was not. May I go back for one moment? You asked me if the Calcutta Bar was a very strong Bar, and I said that it was. I should like to add that I do not think that the standard of the Calcutta Bar is as high as it used to be.

10848. It is not as high as it ought to be?—I said, "as it used to be"; and, therefore, as it ought to be.

10849. You mean that the English-born barristers have mostly disappeared?—It comes to that.

10850. But as far as the Indians are concerned, do you not think that the Calcutta Bar is stronger than it used to be as a body?—It is numerically stronger, but I should not think it is otherwise stronger, or as strong. I will not say "or as strong". I could not say it is stronger. Of course you must remember that I have been in the Calcutta High Court for four years as a Judge, and formerly as Registrar. I cannot go further back than 1890, so that it is perhaps useless for me to say that the Calcutta Bar is better to-day than it was in 1870.

10851. What I want to get at is this: is it your opinion that there is no doubt that it is an efficient Bar?—Certainly.

10852. Mr. Sinha told us yesterday that he could name twelve gentlemen from among the barristers who were fit to hold the posts of District and Sessions Judges. Do you agree with that opinion?—Yes, I think I must agree with that opinion.

10853. And he also told us that, from among the vakils, he could also supply as many men fit to fill those places?—Yes, they would be fit to perform the functions of District and Sessions Judges.

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10854. Supposing you take the case of Bengal. Why do you say that the Judicial Service is a necessity? I do not know that you want to exclude Bengal, because you say, "I believe that the Judicial Service in India is a necessity"?—Yes.

10855. If you could get good men from the Bar, why do you say that the Judicial Service in India is a necessity?—Take the question of leave vacancies. It is very inconvenient to appoint a barrister to fill a leave vacancy. That is one reason.

10856. You could have a reserve. You know in England they do not appoint officiating Judges?—They do not appoint officiating Judges at all.

10857. They work it fairly well with their system?—There is very little leave taken at home for one thing. Leave here is a necessity, a constant necessity. The home Judges very seldom take leave. They work for years and years without leave.

10858. If you have a sufficient reserve, do you not think that leave might be minimised, at any rate?—There would have to be a very large reserve, and an expensive reserve.

10859. Apart from manning the whole Judicial Service from the Bar, is there any objection, in your opinion, to appointing a certain number of men from the Bar direct to District Judgeships?—No, I think that might be done as an exceptional appointment; among exceptional appointments to which I have already referred.

10860. Why exceptional?—Because, in my opinion, you get a better Judge from the Civil Service if you improve it in the way I have suggested.

10861. That has not been attempted, so that it is mere speculation. The scheme you are proposing has not been tried yet, has it?—No, it has not.

10862. So that it is rather difficult to compare with what would be the result if you made appointments direct from the Bar?—Even without the improvements now suggested, Civilians have made, I submit, good Judges.

10863. I do not deny that for a moment, —that there have been distinguished Judges amongst Civilians. I do not wish to suggest anything to the contrary, and I should be very sorry to suggest anything like that. What I mean is this: you have material here at the Bar, very good material to select from, for more District Judges, whatever the number may be?—I think the material is not as good as the material supplied by the Civil Service.

10864. I take it that in your opinion open competitive examination, like that of the Civil Service, is a better qualification for a Judge than practice at the Bar?—I do not quite know how to answer that question. The competition is at the very beginning, is it not?

10865. Yes. Then you give him a certain training?—Yes. It is what I have already said; the Civil Service supplies better material than the Bar.

10866. You mean the educational qualifications of the Civilians are better?—Yes, I should think on an average that they are.

10867. "On an average"?—Generally speaking I should think that they are better.

10868. At the Bar also there are many men who have taken good degrees, are there not?—Yes.

10869. Do you think that the principle is all right—that you give a Judge experience of his work by asking him to try cases? Do you think that is right in principle?—No, I do not; I have said that it is not.

10870. But under your scheme that would be the practical result as far as, at any rate, the Civil Judicial work is concerned, would it not?—No.

10871. What experience would he have of actual work under your scheme?—He would go home. He would spend three years at home in learning law and reading in Chambers. He would come out, and he would begin with the very simplest cases.

10872. That is practically studying law and seeing practice in Chambers?—And seeing practice in Chambers. I lay great stress upon the necessity of reading in Chambers.

10873. But you know that the practice in Chambers is very different from practice in court?—Yes.

10874. Practice in Chambers generally consists in advising, drafting, etc.?—But the Law Courts would be frequented, surely!

10875. But that would be merely observing how work is done; it is not practical experience, such as conducting cases?—It is inferior to that, no doubt.

10876. Is there any other objection to appointments being made direct from the Bar besides what you have said about the Civil Service supplying better material?—No; I do not think I can give another reason, or a stronger one.

10877. Is there any political reason, or anything of that sort in your mind?—No.

10878. As far as the appointments to judge-ships are concerned, there is no reason?—No.

10879. Or administrative reasons?—No. I might say this perhaps: If you take away all the judicial appointments, you lower the attractions of the Civil Service, and that might lower the standard of the Service.

10880. Within the last 27 years, since the Report of the last Public Service Commission, education has advanced a good deal in India?—Yes; I am of opinion that it has advanced greatly.

10881. As far as that is concerned, then, the Indians have become more qualified for higher appointments so far as education is concerned?—Yes, that must be conceded.

10882. Your main objection would be unrest?—That is my objection at the present moment.

10883. You do not mean that that has affected Indians in the Service; you do not mean that?—No.

10884. What you say is that Englishmen would be able to deal with the situation better than Indians in such times?—Yes, I think so.

10885. But is not unrest now practically a thing of the past?—I will not say that. I should think it is not.

10886. I suppose you know that in Bengal many Indians in Government Service have

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sacrificed their lives in order to resist this unrest?—Yes.

10887. In your experience have you found that any Indians have not been able to cope with the unrest as far as anybody could?—No, because I have not been in a district for five years, so that I have not been in actual touch with unrest.

10888. So that you are not speaking from experience when you said that Europeans would be in a better position to deal with the unrest; you are simply putting it upon hypothetical grounds, I suppose?—That is my opinion simply.

10889. Let me remind you of one thing. There is a district very close here which was under an Indian Magistrate for a long time during the period of unrest, and it was noticed that in his district there had been no outbreaks of that kind?—I know nothing of that: it may be so, no doubt.

10890. I should like to know something about the District Munsifs and Subordinate Judges in Bengal. I understand from your answer that it is not the High Court, but Government which appoints the District Munsifs in this Presidency. Is that so?—Theoretically it is the Government, that is to say Government has the power under the Act; but it must be upon the nomination of the High Court.

10891. The practice in Madras is that the Munsif is appointed by the High Court direct?—That is not so in Bengal.

10892. I believe that practice in Madras has prevailed a very long time?—In effect it is the same thing in Bengal. There must be the nomination of the High Court, and the Government appoints the High Court nominees.

10893. What is the average age of a Munsif when he is first appointed?—He must be enrolled not later than at the age of 27, and he must get his first appointment before he is 29.

10894. He officiates for two years?—Not continuously; from time to time in acting vacancies.

10895. I have heard some complaints made that they are made to officiate for a very short time or for a very long period. It is very injurious to their practice at the Bar, is it not, and it is a loss to them?—That is so.

10896. It is so in fact, is it not?—Yes, I believe so. Any practice they may have had disappears.

10897. It would not be possible for them to have any practice during the period they are officiating?—I should think not. The competition is so great.

10898. Have any steps been taken to remedy that state of things?—No; that has been the only system I know of. No steps have been taken to remedy it. I think myself there ought to be a probationary allowance, a retainer, so to speak, given to these officiating Munsifs.

10899. In Madras, they do not officiate more than about a year, I think; and they generally officiate for a fairly long time: they seldom come back to the Bar?—That is not the case in Bengal.

10900. Is there much complaint regarding the pay and grading of Munsifs and Subordinate Judges?—Yes, a great deal.

10901. Has the High Court taken any steps to remedy that?—Yes, they have made recommendations.

10902. Rupees 200 is the initial pay, is it not?—Yes; a Deputy Magistrate's pay is Rs. 250.

10903. Has any step been taken to raise the initial pay?—It has been recommended.

10904. Have you heard any complaints as regards confidential reports?—I have had some complaints made to me personally. Yes; I think there must always be complaints as regards confidential reports.

10905. But it is suggested that they ought to know what is being said against them. I do not know that that is feasible?—I think it is not feasible.

10906. I see in one place you compare the pension of the Civil Service with the pension of the Chief Judge in the Small Cause Court here?—Yes.

10907. I think you know that that is quite the exception, a pension of that sort?—I can give you another at once.

10908. Which is that?—The Legislative Secretary to the Government of India, when he is a barrister, is on exactly the same footing.

10909. But in the Bengal Government that is the only one appointment which carries such a pension, is it not?—I cannot think of another in Bengal.

10910. (*Mr. Madge.*) Although you approve of the present competitive system in the main, certain later answers of yours suggest improvements; but a large element in your improvement is that officers are imbued with a certain character which is acquired through being trained in India under English officers, and under the English system of administration, jointly?—Yes.

10911. I take it that you have had in mind some contrast between Indian and European or British officers?—Yes.

10912. Would any objection which you may have to the competitive system apply to men going home straight from Australia or from Canada, who had not only a British heredity, but as far as possible a bringing up in a British atmosphere?—I have not quite got the point of your question.

10913. I take it that any comparison that may have existed in your mind in making these suggestions was as between Englishmen and Indians?—Yes.

10914. Would any objection that you may have to the competitive system in which you suggest improvements yourself, apply to men from the Colonies, Australia, for instance, or Canada, where men have not only a British heredity, but have been brought up in practically a British atmosphere?—I do not know anything of Canada or Australia; but assuming the conditions there are the same as in England, of course the same objection would not apply.

10915. Do you think that it is absolutely impossible that a domiciled European, having the British heredity, and brought up in India, say, under the most favourable conditions in a first-class school in the hills, would not be held to have reverted to the British type of character?—I should think not, ordinarily.

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10916. You should think that he would not, or you would assume that he had?—I think the same objection would apply to him.

10917. May I ask why?—Because he would not be brought up in the surroundings I have suggested, which seem to be necessary.

10918. You think that his British heredity and training in a first-class school in this country, say, in the hills, away from all objectionable local influences, would not in some measure, or in any measure, compensate?—In some measure it would. My reason would not have the same force in a case of that kind certainly.

10919. You have had some acquaintance of subordinates of pure European or mixed descent in this country?—Yes.

10920. On the whole, do you think that they have done well or ill?—I have had experience of them only in subordinate positions, and in those subordinate positions many of them have done exceedingly well.

10921. You have heard, have you not, of others having risen to posts, I may say, of eminence?—Exceptional cases, I think.

10922. Do you call them "exceptional cases" in a general way, or with reference to the total number of the population, and the total number of successful men who have risen to great posts?—Very few of them have risen to great posts.

10923. You are acquainted with, or have heard of, a very few, is that it?—Yes.

10924. You have a leaning towards nomination, but in your opinion it is attended with certain dangers; but you have also referred to the ease of officers who select cadets for the Navy. Do you think it is impossible, with sufficient care, to have the same kind of body in which the nominations would meet your objections?—I doubt its being practicable.

10925. Your opinion that the competitive system is not perfect seems very general, and I should imagine on all hands that there must be a desire to make it as perfect as possible, and suggestions have been offered to the Commission that means might be suggested to very much improve it. You do not think that is possible?—The only way in which it might be improved is by combining nomination. As far as I can see, I doubt the practicability of applying the system, which is in force in connection with the Navy, to the Indian Civil Service.

10926. You refer to nomination now; you merely refer to it; but you do not think it is possible to have a combination?—No, I think not, on the whole.

10927. I have quite clearly understood from what you have said that the value of a civilian's experience in the early years of his service is very great, and it is in the combination of that experience with legal training that the highest possible perfection is reached?—Yes, I think so.

10928. As regards the age-limit, to which you refer in your answer to question (15), it has been stated before the Commission with reference either to a probationary experience at the beginning of one's career, or later in life, that the earlier a man comes under British influence the better; whereas other witnesses have suggested

that later in life, when a man's character is formed, and he is better able to observe and absorb what he thinks good, would be better. Which do you think is preferable?—The former view. The earlier they are brought under British influence the better.

10929. In your answer to question (20) you say, "Practically every Civilian at every stage of his career is immediately concerned with the administration of law"; not only, as you have said already, is it very useful to him, but in the administration of Indian Law and amongst Indian people and in Indian surroundings, he acquires an experience which is far more valuable than any abstract training in British or any other law?—Yes.

10930. Do you think that the law of any other country, Indian or English, to a certain extent reflects the atmosphere of that country, and in that respect the study of British law would be much less useful to a man living and working in this country than the study of Indian law; I do not mean as regards the mere technical processes of the law, but as regards the spirit of the law and what it reflects?—Would you repeat your question? I am not quite sure that I understand you.

10931. The laws of any other country reflect more or less the atmosphere of that country?—Yes.

10932. Do you think that the study of Indian law and the practice of Indian law is better for a Civilian than the mere study of English law?—No; I should think that the study of English law is better for a Civilian than a study of Indian law.

10933. Is that because, as regards the technique of law, the British law has arrived at a higher standard?—I think you indicated the reason at the beginning of the question,—that the law reflects the character of the country.

10934. You object to simultaneous examinations? Do you think that if such examinations were introduced into England they would indirectly re-act upon the character of education?—Yes, I think the standard very probably would be lowered.

10935. Because universities and schools and colleges, and all that, would be training up for this thing and neglecting general education: is that one of your reasons?—No. I meant that the education out here is not as high as the education at home, and the tendency would be for the standard to fall to meet the standard of India.

10936. But do you, or do you not, think that education at home is generally better than education in this country, because of recent years there has been a great tendency here to study for examination passes rather than to secure general education?—Do you mean that has been the tendency at home of late?

10937. No. More here than at home. To a certain extent no doubt wherever prizes are offered in competitive examination, it will re-act on education?—I think the system of cramming will almost certainly rise up.

10938. And in that respect re-act upon education generally?—Probably it would.

10939. In answer to question (27) you say, "Judging by actual results so far, I think that

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the reply must be in the negative. It apparently has not been found possible to appoint Indian members of the Indian Civil Service ordinarily to the higher Executive posts, such as Commissionerships, Memberships of the Board of Revenue and Secretaryships." To some of those appointments Indians have already been raised to acting appointments, but not to permanent ones: is not that so?—In a few instances.

10940. What is your frank opinion of the reasons of the Government? Is it not probable that they did so because, however worthy these officers may be, and however capable they might be in performing other duties, the Government thought these might be better fulfilled by Englishmen?—In some cases no doubt—say in the case of a Commissioner of a Division—it might be undesirable. The Government might think that it was better to have an English officer, and that might influence them in passing over an Indian; but in the case of a secretaryship, I do not see any reason why an Indian should not be appointed if he was qualified; or in the case of the High Court or the Legal Remembrancerships. I see no reason why an Indian member of the Civil Service should be passed over except for the reason that he is considered not as good as his juniors who are Englishmen.

10941. If there is any grievance on this point, you think it arises from a misapprehension?—Yes, I should say so.

10942. You strongly object to the Statutory Civilian?—I believe he has not been a success.

10943. You do not think that it may not have succeeded because the wrong men were chosen, and that it was not rightly applied?—That may be so, of course.

10944. As regards the pay of officers of all grades, considering the rise in prices, would you be disposed to approve of a *pro rata* increase all round in all salaries?—I would approve of it.

10945. The financial cost would be heavy, but it is something to secure content in an officer, and all that class of facts: do you think it would be a right thing to do under present conditions?—Yes, if it could be done. Undoubtedly the cost of living has risen enormously, and salaries do not represent what they used to represent all round.

10946. You think that no workable scheme for the recruitment of District and Sessions Judges from the Indian Bar is feasible; and that as regards legal experience it would be still less feasible in the case of recruiting home barristers who have had no experience whatever?—Yes.

10947. (Mr. Macdonald.) I think you said that the sole reason why you are not in favour of increasing the Indian section of the Indian Civil Service cadre now is the existing unrest?—Yes, I cannot give any other reason at present.

10948. But unrest, or no unrest, do you agree that the demand for increased posts for Indians will go on?—Yes.

10949. The demand for simultaneous examinations has not slackened?—I believe not.

10950. The Indian National Congress, for instance, the other day passed the same resolution?—Yes,—as it passed 20 years ago.

10951. And the educated Indian is repeating his demands, as is shewn by our evidence?—Yes.

10952. You do not suggest, do you, that the unrest will be removed by refusing to grant that demand?—I say that the number of posts thrown open to Indians will be increased in time, but not at the present moment: I would not increase them now.

10953. By refusing to grant that demand for simultaneous examination, you are not going to improve the present political conditions in Bengal, are you?—Do you mean that you will not remove the discontent?

10954. You will not remove the discontent?—I suppose not.

10955. Then it comes back, does it not, to the question of the efficiency of the cadre to deal with unrest?—Yes.

10956. Is it your idea that the individual Indian officer finds more difficulty in dealing with unrest than the European officer?—I think so.

10957. And so far as the Commission is concerned, in order that it might make up its mind upon that point, I suppose your advice is that we should go into the records of the Service? We will have to go into details, and not take a general statement like that?—You think it is necessary to say personally that I consider such and such an officer—

10958. No. I do not want you to say that. I want to prevent you from saying that. As far as we are concerned ourselves, the only way that we can make up our minds is to go into the question of officers' records. I should like you to help me if you can. Is there any other way than that for us to find out whether the opinion which you have just expressed is a sound one or not?—It is a matter of opinion entirely, is it not? You will be guided, probably, to some extent, by the opinions which are expressed before you.

10959. But in order that we may test these rival opinions, we have you, with your great authority, coming forward and expressing an opinion upon this matter, which weighs very much with us; and then we have somebody else with authority coming forward and expressing the exact opposite. I do not want you to go into details, quite the opposite; but I put it to you that the accuracy or otherwise of your own opinion, and of the other opinion I have assumed, can only be tested by us as a Commission upon the record of individual officers. Put it in this way: Supposing we find an Indian officer has been placed in a district where there has been a good deal of unrest, and he has governed that district very well. We would have to come to certain conclusions upon that, would we not?—Yes, you would.

10960. If, on the other hand, he was put into a peaceful district, and that district burst out into unrest owing to his action, we should have to come to a conclusion from that?—Yes.

10961. But that is the only class of fact upon which we can come to a reasonable conclusion?—It is very difficult to answer that question. I do not like to say that that is the only way. I have seen Indian officers and English officers in similar tight places, and I have always

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thought that the English officer showed greater firmness and promptitude in dealing with them than the Indian officer.

10962. I will not press you further upon that point. Your view, then, of the examinations being held in England alone is that it makes it difficult for the Indian section of the Indian Civil Service cadre to increase itself?—The result, no doubt, is that.

10963. And it is because that is the result that you stand by, is it not, the view in the answers you have given with reference to unrest?—Simply because it keeps Indians out?

10964. Because it does not alter the 17 per cent.?—That is not the way I put it, of course.

10965. I do not want to put it in any way you disagree with. I want to get fairly at the root of the matter. In your written evidence you state that Indians have 17 per cent. of the places now?—Yes.

10966. And you further state that an increase is undesirable in view of certain circumstances?—If you had simultaneous examinations there would be an immediate increase in the number of Indians.

10967. And one of the reasons why you are not in favour of simultaneous examinations is because you do not want an increase?—I do not want an increase because the Indian has not got the qualifications I have mentioned.

10968. Quite. I put it to you that one of the values of the examination being held in England, to one holding your views, is that it makes it difficult for an Indian to get into the Service?—It makes it difficult for the wrong kind of person to get into the Service.

10969. Would you object to an immediate increase of the 17 per cent. if you got the right sort of person; or is there a right sort of person in the present circumstances?—I would not object to an increase if you could get the right sort of person.

10970. You do not think that the European section of the Service can be properly protected by a statutory minimum? I did not quite catch your answer to that, and I am afraid I am repeating a question which was put to you?—I said I would not fix any minimum; I would not attempt to fix a minimum.

10971. You would leave it to the chance of the examination?—There must be a minimum.

10972. That is what I want to know?—As long as the English govern India, there must be a majority of officers in high appointments who are Englishmen.

10973. How would you secure that except by fixing the minimum?—I would not attempt to fix it once for all time.

10974. No; that is not the proposal at all. The proposal is, if I might say so—at least the suggestion has been made to us—that you might fix from time to time a minimum for a certain period, and then let it be revised as occasion necessitates. Would you see any objection to that?—I am rather against fixing any hard-and-fast minimum at all.

10975. But supposing we find that the Service got unpopular at home (we have had evidence that it is getting unpopular at home)

and supposing in consequence of that the proportion of Indians entering the Service got very much larger than it is now, would you not be driven to fixing the minimum?—You would be driven to doing something to increase the number of Englishmen joining the Service, I think.

10976. But you would not be prepared to do anything of that kind now?—I would not draw a line and say that the moment more than a certain proportion of appointments are filled by Indians we must do something. I would not attempt that.

10977. You would not allot a certain proportion of the vacancies during any one year to be filled by examination in England, and another proportion by examination in India?—No.

10978. You would not accept that as a substitute for simultaneous examination?—No.

10979. Do you think it would be a better or worse proposal than simultaneous examination?—I think it would be a better proposal than simultaneous examination.

10980. In answer to question (27), I see you say, "Judging by actual results so far, I think that the reply must be in the negative". What do you mean by "actual results"? Are they results recorded in the list of the Civil Service?—You will find them from the Civil Service List. I am going on my own time in India. I can count on my fingers the number of Indians who have been appointed Commissioners, or Members of the Board, or Secretaries to Government. I think very few of them have, and in most cases, they have been superseded.

10981. Have a considerable number of Indians been actually available on grounds of seniority for these appointments?—Yes.

10982. And they have been passed over?—Yes, they have been passed over by their juniors.

10983. To some of those appointments, for instance, the Calcutta High Court to which you made reference, Indians have been appointed as acting officers?—I remember only one in my time.

10984. You do not remember two. You do not remember, for instance, the appointment of two as Legal Remembrancers?—You said to "the Calcutta High Court"?

10985. Yes, but I thought you had passed that?—I remember only one. I think Mr. Sen, who is sitting next to you, will put me right, if necessary. There is only one, I think, who has been appointed to officiate, and no one has been appointed permanently.

10986. Have you any recollection of the criticisms passed in the Anglo-Indian Press as to the way in which Indians had been passed over?—I have seen the criticisms: very few, I think. My own feeling is that it was usually recognized that they were rightly passed over.

10987. Do you remember the criticisms passed by the *Pioneer* regarding a gentleman who is now out of the Service, Mr. P., who was passed over?—No; I do not remember.

10988. He was passed over for a Commissionership?—I think so.

10989. He was an acting Commissioner?—Yes.

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10990. He was not confirmed?—Never confirmed.

10991. You have no recollection of what is called the "De" case?—I do not remember. I think I must have been on leave at the time it happened.

10992. May I ask you to tell the Commission about your own experience in England? Perhaps, I will take you through it in two or three questions. In your answer to question (64) to (67), you give an interesting scheme about legal training. I believe you went to England in order to complete your legal studies, if I am rightly informed?—Yes, I was called to the Bar.

10993. After you were in service?—Yes.

10994. You took furlough?—Yes.

10995. You went at your own expense?—Yes.

10996. You read law?—Yes.

10997. You did not read in Chambers?—No.

10998. And you were called to the Bar?—Yes.

10999. Without any assistance at all from the Government?—Yes.

11000. You got first class at the Bar Final?—I did.

11001. Had it not been for the misfortune of age, you would have had the £300 prize?—Yes.

11002. This was during your furlough at your own expense and on your own initiative?—Yes.

11003. (*Mr. Sly.*) You say, in your answer to question (27), that Indians have not, as a matter of fact, been appointed to certain posts. Do you remember that, during your service, one was appointed to the Board of Revenue?—One, yes.

11004. Two have been appointed Divisional Commissioners for considerable periods, leaving out two cases of short acting appointments?—Yes, I remember two.

11005. The Commissioner of Exchequer, one of the most important heads of departments, has, I believe, been practically filled by an Indian, almost continuously, during the past ten years?—I am afraid that I personally cannot say.

11006. Then the Inspector-General of Registration is another head of a Department?—Yes.

11007. Of an important nature?—Yes.

11008. Has not that been practically filled by an Indian for many years continuously?—Yes, for many years.

11009. Then the Accountant-General with the Government of India; has not that been filled by a Bengali Indian for a considerable number of years?—Yes, I remember his name.

11010. Then in your own line, was not the post of Legal Remembrancer filled for some years by an Indian?—Yes, I mentioned this; have I not? Two have risen to be Legal Remembrancers; one in Bengal and the other in Bihar.

11011. For a long period?—Yes.

11012. As a matter of fact, it comes to over six years?—Yes; Mr. B. L. Gupta.

11013. Taking another appointment, the Registrar of Co-operative Credit Societies, has

not that been wholly filled by an Indian?—It is filled by an Indian at present I know.

11014. Since 1909, it has been filled by an Indian, I think?—I believe that is so.

11015. Having got all these cases before you, why have you expressed this opinion that they have not been tried in these posts and said "judging by actual results so far, I think that the reply must be in the negative"?—Because there are many other cases in which they have been passed over.

11016. Let us take the cases in which they have been passed over. Is it not, as a matter of fact, that most of the Indians passed over were Statutory Civilians recruited under special conditions which have been admitted to be a failure?—They certainly have all been passed over.

11017. That accounts for a great many being passed over; that is what was in your mind?—No, I was not thinking of them. I was thinking of the members of the Indian Civil Service.

11018. Now coming to the members of the Indian Civil Service, is it not the case that a great many of those who, you say, have been passed over, are the members of the Judicial Branch of the Indian Civil Service?—I am more familiar with the Judicial Branch. Probably it is so.

11019. Then is it not the case that a great many of the European members of the Indian Civil Service have been passed over for these appointments?—Passed over by better men, I presume, for the same reason as Indians.

11020. Therefore, having regard to these facts, are you still prepared to adhere to the opinion that, taking all these matters into consideration, the Indians have been passed over to a much greater extent than the European members in the Service?—I cannot say.

11021. Now, I come to another point. In your answer to question (13), you have given an opinion against separate recruitment for the Judicial Branch of the Service. A scheme has been proposed before the Commission in which it is suggested that the Judicial Branch of the Indian Civil Service should be abolished; and that there should be substituted a separate service directly recruited by selection, first, partly from the Indian Bar in India, secondly, partly in England, preferably from the English Bar but not exclusively, and, thirdly, by promotion of good officers from the Provincial Service. The proportion in which these three classes would be recruited is a matter for consideration, which has not been given us in detail in the scheme laid before us. But so far as the Indian members of the Bar recruited in India and those recruited in England are concerned, it has been suggested that both of them should be trained in the first place in the work of subordinate courts in India. From your experience of the judicial conditions in India, I should like you to give us your opinion, if you can, on such a scheme.—Well, I have already said that I do not think that the result would be anything like having as efficient Judges as under even the existing system unimproved. I think that the existing system, if improved, ought to turn out as good Judges as you can want.

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11022. It has been suggested that the long course of training necessary for improving the Judicial Branch of the Indian Civil Service entails a good deal of expense on the country. The number of years of training that an officer undergoes under your scheme or the scheme which has been put before us is considerable? Would it be very considerable?—I do not think so.

11023. Two years' probation in England and again two years' training in India?—During the period of training in India they would be doing work.

11024. During the service of two years in India, he is not doing work but is under training?—I think he does work from the very beginning. He did it in my time.

11025. Then, you have to add on to that the period of study-leave in England?—One year.

11026. Plus a certain amount of training in subordinate judicial courts?—Yes; but it would not be absolutely unremunerative work. He would try cases; he would dispose of small causes, and he would do some work all the time.

11027. I want your opinion. You do not consider that is a strong objection to the scheme?—I should have thought that the expense would not by any means be so great as to be any difficulty at all.

11028. Then another objection, I think you stated just now, is that it would reduce the attractions of the Indian Civil Service and so far damage the general government of the country?—Damage the recruitment and the government of the country.

11029. Have you got any views in regard to the result of such a scheme on the separation of the judicial and the executive functions—the differentiation of the Service from the very start recruited by different methods—as to what effect that would have upon the Government of the country?—Well, if you mean an absolute cleavage of the Service into two separate Services altogether, then, instead of having a large Service all working more or less together for the good of the country, you would have two separate Services, almost certain to be more or less antagonistic. As it is, there is every now and again friction between Judicial officers and Executive officers. If you had the Services separated like this, I think they would be in opposite camps altogether.

11030. Does any other objection to that scheme occur to you?—I doubt if you would get a high-class lawyer—certainly not at home, I doubt if you would get him even in India—to accept a District Judgeship.

11031. Do you think that a barrister at home with a certain amount of practice at the Bar would be likely to come out under such a scheme to India?—Quite the reverse. Most unlikely.

11032. Then the recruitment would practically have to be made, so far as Englishmen are concerned, from barristers who had just taken their course?—That would be so.

11033. Do you think that such men would be any cheaper or make any better Judges than the men whom we recruit through the open competitive examination for the Indian Civil

Service?—I do not see how they could be cheaper. I do not think they would be anything like so good.

11033A. In your answer to question (10), you have dealt with the age-limits, and suggested that the maximum age should be reduced to 23 years. Supposing you find that, as a matter of fact, that age cuts across the "Greets" course of the University, would you still adhere to that maximum?—No; I would raise it.

11034. Then you have recommended very strongly a system of probation in England including attendance at English law courts?—Yes.

11035. If we have to retain the present limits of age on account of university conditions at home, do you think that it would be best to sacrifice that probation in England with the object of getting the men out, one year or perhaps two years' younger, than you would under a full probationary course?—No; I am very much in favour of the full probationary course at home.

11036. Even if it leads to an older officer coming to India?—Yes.

11037. You do not think that that probationary course could be arranged for province by province, for instance in Bengal, almost as well as can be done in England?—No.

11038. Do not you think that the instruction in the general principles of law and Indian codes could be given by a specially-arranged course of lectures; instruction in India?—It could.

11039. Do not you think that the language instruction that is given in England could be arranged for and given in India?—Certainly it could.

11040. Then, according to that, the only thing that is left on which you lay so much stress is attendance at English courts?—That is so.

11041. It is practically on that single point that you wish to insist on probation in England?—Yes, that and the atmosphere; it really comes to that.

11042. The reporting at the High Court of Calcutta would not meet that?—I do not think so.

11043. One reason, one strong reason, you have for retaining this period of probation in England is that it gives an opportunity for the rejection of the unfit?—Yes.

11044. If, as a matter of fact, we find by inquiry that nobody has been rejected as unfit for a considerable number of years, would not that be sufficient to overcome that objection?—Yes; it would certainly.

11045. Then, in your answer to question (25), you have suggested that you might select from District Munsifs, at an earlier stage of their career, probationers for listed posts. Have you considered that that would possibly act as a very considerable disappointment to the Provincial Service as a whole; would not that affect that Service very considerably?—It would, no doubt, create a good deal of individual disappointment and heart-burning; but I do not think that it would affect the Service prejudicially.

11046. The selection of a young man out of that Service would take away the incentive that is now given by these listed posts to the

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senior members of the Service. Would it not?—It would undoubtedly. There is undoubtedly that objection; I must admit that.

11047. Then I would just like to ask you about your proposals for the Indian Civil Service pension. You have largely based them on the supposition that a Civilian who completes his ordinary service pays at least half of that pension by means of his contribution, and that an officer of longer service pays considerably more. If, as a matter of fact, it is found by actual calculation that this is not the case at all, that the contribution made by a Civilian is a much smaller percentage, would you still be in favour of any change in that annuity system even if it was found to involve a reduction of the present pension of £1,000? If, for instance, it was found that a Civilian subscribes £400 a year or considerably less, and the Secretary of State were to consider that the non-effective charges of the country should not be increased to the amount that you suggest as special pensions, would you still recommend that the pension scheme should be altered even if it involved a reduction in the existing annuity of £1,000?—Would I prefer it to be reduced to £600 and no contribution?

11048. Yes?—Yes, I think I would, because it would put the matter on a proper footing. At present it is deceptive.

11049. Then, in answer to question (137), you have given expression to an opinion that a member of the Viceroy's Council should not be eligible for further promotion in India as the head of a province. Do you think that with the experience that an officer gains in the Service as a member of the Viceroy's Council, he has a much wider outlook on Indian affairs than he could ever get by service in a particular province—do you think that is a good reason to give him such experience before he becomes the head of a province?—My own opinion is that the head of a province should come first.

11050. If the head of a province came first, have you considered what would be the position of the head of the province when the Government of India is composed largely of persons who have just finished their careers as the heads of provinces; would it not have the effect of weakening to a great extent the position of the head of the province for the time being, if an officer who had just been the head of a province is in a position like that of a member of the Viceroy's Council?—I suppose it would weaken his position to some extent.

11051. Would it not weaken the position of the head of a province to know that his immediate predecessor is a member of the Viceroy's Council, sitting in judgment upon his work?—Yes, I suppose it would be an inducement to carry on the work on the same lines as his predecessor did. There would be that danger.

11052. In order to avoid that danger, would you be prepared to recommend that both the head of a province and the membership of the Viceroy's Council should each be the finish of the career of an officer?—That would be a better solution.

11053. (Mr. Gokhale.) How many years does one take, on the executive side, to reach the

position of a Commissioner? How many years' service has a Civilian to put in on an average?—I suppose between 20 and 25 years.

11054. How many years does a man on the judicial side take to reach the High Court roughly?—Over 25 years.

11055. About 25 years?—Yes.

11056. In your answer to question (27), you say, speaking about the relative merits of the Indian and European members of the Civil Service, "Judging by actual results so far, I think that the reply must be in the negative. It apparently has not been found possible to appoint Indian members of the Indian Civil Service ordinarily to the higher executive posts, such as Commissionerships, Memberships of the Board of Revenue, and Secretariats; and, as regards the Judicial Branch, no such Civilian has ever been appointed permanently to the Calcutta High Court, while only two who have risen to be Legal Remembrancers." We will take these statements one by one. Do you know when Indians first entered the Indian Civil Service and came to Bengal?—I think Mr. Romesh Chunder Dutt was the first, was he not?

11057. Yes, was it not in 1871?—Yes.

11058. From that time we will take the executive side?—I would rather begin with the other side.

11059. We will take the executive side first and then the judicial. You mention the Commissionership first. Can you tell me how many Indians in the Indian Civil Service during all these years have reached the necessary seniority to expect a Commissionership?—I cannot say.

11060. I have looked into the question, and I do not find more than four?—Do you mean that only four have been qualified for a Commissionership?

11061. Only four Indians have ever reached the necessary seniority to become qualified for the position of a Commissioner. I will give you their names. Mr. Romesh Chunder Dutt was the first?—Yes.

11062. And he acted as Commissioner twice for long periods?—Yes.

11063. He was once appointed Commissioner over the heads of European officers?—I do not know that.

11064. He retired while holding an acting Commissionership?—Yes.

11065. He was not superseded?—No.

11066. The next one was Sir K. G. Gupta. You know that he became a Commissioner, a Member of the Board of Revenue—the senior Member—and is now a Member of the Secretary of State's Council?—Yes.

11067. So your description cannot apply to him?—No.

11068. The third Indian was Mr. Badshah, a Parsi from Bombay. He became Postmaster-General and Ex-Officio Commissioner, much above the average?—Yes.

11069. So your description would not apply to him?—No.

11070. The only other man was Mr. De, Collector of Hooghly. He retired last year. I do not find any other Indian who had attained the necessary seniority so far?—I am surprised to hear it.

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11071. As regards Mr. De, you said that you did not notice what the *Pioneer* said about him?—No; I did not notice it.

11072. He had acted twice as a Commissioner and was passed over when the permanent post had to be filled?—Yes.

11073. This is what the *Pioneer* said—you would not charge that paper with any undue partiality to Indians! It said: "Mr. De may have the consolation of feeling that he has done much more important work for the public as a Collector than he probably could have done in the higher post. Since June 1905 Mr. De has been Collector of the Hooghly District, and it can hardly be accidental that while the other environs of Calcutta have been seething in disturbance and disorder, Hooghly, only 24 miles distant, has known nothing worse than a few petty cases of hoys shouting *Bande Mataram*. When some of these youths took to throwing mud at Europeans, the people themselves took them in charge and brought them before the Collector to suffer such punishment as he could award. If it had been possible to multiply Mr. De sufficiently, there would have been no trouble in Bengal; but these are the men who glide out of the Service unnoticed, while the person who is chiefly responsible for the mischief probably makes his exit under salute, in a coat covered with ribbons and stars." Surely this is fairly good testimony to the work of Mr. De. His supersession does not point to very much. May I put it like that?—I do not know what value is to be attached to that article in the *Pioneer*.

11074. In any case there it is. Have you known any other instance where an Indian should have become Commissioner but has been passed over?—I cannot name any.

11075. Now, I come to the Judicial side.—You might mention the Secretaryships.

11076. Well, I will take Secretaryships. You say Indians have been passed over in the matter of Secretaryships. Is it not more correct to say that Indians are not admitted into what may be called the heart of the bureaucratic machine—there is a reluctance to admit them into the heart of the bureaucratic machine *i.e.*, the Secretariat?—I cannot say that.

11077. I will put it in another way. I suppose you will allow that the chief qualifications for a Secretariat officer, for a Secretary, are industry, general ability of a high order and some literary ability?—Yes.

11078. Take Mr. Dutt's case. Mr. R. O. Dutt was, by common consent, a man of great ability and high literary gifts?—Yes.

11079. He was also a man of prodigious industry?—Yes.

11080. He was never appointed Secretary?—No.

11081. Do you think that he was passed over for a Secretaryship on grounds of efficiency, or was it because the general policy of the Government is not to have Indians as Secretaries?—He could not have been passed over on the ground of inefficiency.

11082. Take Sir K. G. Gupta's case. He became the senior Member of the Board of Revenue, and certainly he could have made a good Secretary?—He could not have been

passed over for a Secretaryship for inefficiency.

11083. He is now in the Secretary of State's Council?—Yes.

11084. Do you remember the warm appreciation which Lord Morley as Secretary of State expressed of him some two or three years ago?—Yes.

11085. Here are then cases of Indians who were qualified for Secretaryships, but were not appointed to those posts?—Those two are certainly cases of men who might have been appointed.

11086. So I do not think that this can stand—the fact that Indians have not been appointed as Secretaries shows that they are inferior to English men, or that the Indian average is inferior to the English average. I do not want to press you if you do not want to answer it?—I cannot.

11087. We will now turn to the Judicial side. You say that it takes 25 years to reach the High Court?—Yes.

11088. You yourself reached the High Court in 25 years?—Yes.

11089. Can you tell me how many Indian Civilians have so far attained the necessary seniority to come to the High Court?—I cannot tell you.

11090. Will you be surprised that there have been only two instances, and that in both these instances these men have acted as High Court Judges? We will take the first instance: Mr. B. L. Gupta?—He acted.

11091. He acted twice?—Yes.

11092. He was not appointed permanent, but was passed over?—Yes.

11093. Three other English District Judges were passed over along with him—do you know that?—Possibly so.

11094. When he was passed over, three other English Judges were passed over?—I think so.

11095. And they raised a protest against their supersession?—When Mr. Cecil Brett was appointed you mean?

11096. When he was appointed there was a storm?—The officers passed over were indignant, and two of them retired.

11097. Three of them retired when Mr. Gupta was passed over?—I remember two.

11098. When those three retired, do you remember what their complaint was; you probably remember what was said at the time?—I do not remember.

11099. We have had one Indian gentleman who acted, but was not made permanent, and he was passed over with three English Judges. You of course know that another Indian has just been appointed a Judge of the High Court?—This very day Mr. Mullik has been appointed.

11100. He has been selected over the heads of two or three European District Judges senior to him?—Yes.

11101. Do you know of any Indian Civilian senior to Mr. Mullik who has been superseded?—I should like to have a look at the list. Several officers have been superseded lately.

11102. For the High Court Judgeship?—Yes.

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11103. There is no officer senior to Mr. Mullick in the list on the judicial side who has been superseded?—Messrs. Beahoroff and Chapman were brought in, and they superseded several.

11104. I am speaking of the Indian Civilian?—There have been a number of Indian Civilian District Judges in my time, and none of them reached the High Court except Mr. B. L. Gupta.

11105. Men senior to yourself?—You mean they retired after they put in 25 years' service.

11106. I find from the list that I have that there is no name of an Indian Civilian on the judicial side who has attained the necessary seniority to reach the High Court?—During the last 30 years?

11107. Except Mr. B. L. Gupta and now Mr. Mullick?—I am surprised to hear that.

11108. I should like to know if you know of any instance?—I confess that I made the statement on the ground that there had been a number of Indian officers in the Judicial Branch in my time and that only one was appointed, and that was only to officiate. That was Mr. B. L. Gupta.

11109. Mr. B. L. Gupta was appointed long before your time?—Yes; he was appointed before I entered the Court.

11110. Do you know of any instances where Indian civilians were superseded for the High Court? Now that Mr. Mullick has been appointed, is there any Indian senior to Mr. Mullick on the judicial side who has been superseded?—There is no Indian senior to him.

11111. We will turn now to Legal Remembrancers. Only two, you say, have been appointed Legal Remembrancers. If two Indian civilians, viz., Mr. B. L. Gupta and Mr. Mullick have reached the position of Legal Remembrancers out of only two or three who had attained the necessary seniority, would that be a bad proportion?—No, it would not.

11112. In the same way, going back to the executive side, if three out of four Indians reached the Commissionership and the fourth retired with that testimonial from the *Pioneer*, if three out of four reached the Commissionership, would it be a bad proportion?—These are facts, and they speak for themselves.

11113. Do you think that amongst the European members of the Civil Service there would be the same proportion—three out of four Collectors becoming Commissioners?—It could not be.

11114. Because there are only five Commissionerships for 26 Collectorships?—It could not be of course.

11115. Taking the average, so far as these appointments show, I do not think that you can say that the Indian average is in any way inferior to the English average?—Those being the facts, they will alter my statement.

11116. I think this will be enough on this point?—Very well.

11117. I will go to your answer to question (1). There you speak of a certain qualification, and you say that this qualification can be had only in "persons who have been educated in England and brought up in the atmosphere

of life and thought in that country; or, though in a lesser degree, persons who have acquired it in India through being trained under the English officers." What do you think of that class that has received a high University education in this country, and has made a fairly deep study of English Literature, English History and English Institutions; what do you say of that class? Is it imbued, to some extent, with English ideals or not?—Surely it will not be to anything like the extent of a person brought up in England.

11118. Or a person who has been trained under an English officer as a member of the Subordinate Service?—I should think not.

11119. If he supplements that by some stay in England; even after that he would not be imbued in the same degree?—I should say not.

11120. Say an Indian officer who has been promoted from the Provincial Service?—I should say not.

11121. But after 100 years of British rule, and 60 years of university education, do not you think that certainly more satisfactory results might be produced than this?—I lay great stress on the atmosphere at home.

11122. True; but a man who has been trained under English officers knows nothing of that atmosphere?—He will know it, but in a less degree.

11123. I am talking of that loss degree. You think that the best products of our university, even if they finish their education with a stay in England, would not have the acquaintance with English ideals that these officers promoted from the Service have?—I should be inclined to say "No," these officers being also men of education.

11124. These other men would go and stay in England for two or three years?—I adhere to my answer "No."

11125. Very well. You say that, if the simultaneous examinations were insisted upon, within ten years there will be practically swamping of the Service by Indians?—Yes.

11126. Have you any personal experience of university education in this country?—No.

11127. Do you know if educational facilities exist here for training Indians for the Civil Service?—No, I cannot say.

11128. Therefore, if educational experts think that, for several years to come, it would not be possible to train Indians for the Indian Civil Service in any large numbers, would you still maintain your opinion?—All I can say is that I should be surprised to bear it. That is all.

11129. Just one or two more questions. You have said that English officers generally show greater promptitude and firmness in dealing with difficulties than Indian officers?—Yes.

11130. If you were examined privately by the Commission, would you be able to substantiate this by mentioning specific instances?—I should object strongly to give any names.

11131. You say that you are not in favour of making any increase in the proportion of Indians in the higher ranks of the Service at present?—At the present moment, I say.

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11132. I do not understand your answer to question (24). If you will kindly turn to that, you will find that your answer in the second paragraph is, "The Public Service Commission of 1886-87 was prepared to go the length of recommending that one-sixth (16·4 per cent.) of the higher posts might be made over to the Indians, and that some advance might be made after the lapse of a quarter of a century". That is the opinion of the Public Service Commission, that some advance might be made after the lapse of a quarter of a century?—That is what they thought.

11133. That quarter of a century has elapsed?—Yes.

11134. Would not you make some advance?—I still think that this is not the right moment.

11135. You further say that 17 per cent. was the proportion for Bengal to-day. That 17 per cent. includes the Indian members of the Indian Civil Service?—Yes.

11136. If you exclude that, the proportion comes to less than one-tenth, as you will see?—Very well.

11137. You remember the rules of 1879—the statutory rules of 1879?—Under the Government of India Act?

11138. Under the Act of 1870?—I have seen them.

11139. The rules about the Statutory Service?—Yes.

11140. Do you remember that they practically promised Indians one-sixth of the total recruitment for the Civil Service; one-sixth of the recruitment in India of the total recruitment for the Civil Service for any particular year?—I take that from you.

11141. If it is only one-tenth to-day, it is even less than what we were assured it would be in 1879, because that was not inclusive of Indian members getting in by the London door?—That is so, then.

11142. (*Mr. Chaulat.*) Am I right in understanding that, but for the unrest, you do not think that the present proportion should not be increased?—Yes, what I say is that I look forward to the present proportion being increased, but not now.

11143. Am I right in understanding—I mean the substance of your answers to the questions on this point—that whatever the present proportion may be, whether it is one-sixth as the Act provided for, or whether it is one-tenth as Mr. Gokhale pointed out, whatever it actually is, you would not increase it, because of the present unrest?—The unrest and the general difficulties of the administration at the present moment.

11144. But I have not heard about the general difficulties of the present administration—are there any fresh difficulties which have arisen since 1906?—Everybody is of opinion that the difficulties of administration have increased enormously of late years.

11145. But I should like to know some further definite details?—The difficulties are connected, no doubt, with the unrest; the unrest is at the bottom.

11146. The unrest is the only element which makes it difficult to increase the proportion, whether it is one-tenth or one-sixth?—Yes, and, as I say, the difficulties arising from unrest.

11147. You say, then, that, if since 1870 Indians had not been appointed, this unrest would not have come in: you cannot say?—I cannot say one way or the other.

11148. I want to know if really in your heart of hearts you think that unrest has got anything to do with the number or proportion of Europeans and Indians in the service?—No, my ground is that you want more English officers for the administration just now, because they are more efficient, firmer and stronger and more capable officers than Indians, and also in view of the difficulties of the administration mainly arising out of the unrest.

11149. They are required for the purpose of putting down the unrest, and not for the purpose of preventing the unrest?—Dealing with the unrest and dealing with the position generally.

11150. Taking the state of things as it is, that there is unrest, you think that the present juncture is not the time when you can expect efficient control of the country in a state of unrest by Indian officers?—That is my opinion.

11151. But it has got nothing to do with the prevention of unrest?—When the unrest entirely disappears and the former condition of affairs is resumed, of course that objection would go.

11152. I want to ask you a few questions about the question of the separation of judicial and executive functions?—I am not quite sure that I am prepared to give an opinion on that, and support it with reasons, not being an executive officer. I think an executive officer could give you the objections to it better than I can. My only idea and impression is that, if you take away the judicial functions from the Collector, who is the most important unit in the whole of the administration, you will weaken his position enormously. If you take away his magisterial powers you weaken his position enormously; and my idea is that that would be a great loss to the administration of the country, because the Collector is the pivot of the administration.

11153. Will you kindly let me begin lower down in the Judicial Service; take the magistrates, the different classes of magistrates: would there be any objection to separating their executive and judicial functions? Let us not come from the top, the Collector and the District Magistrate, but let us go from below, take the Subordinate Magistrates: what objection would there be in principle to their executive and judicial functions being separated?—I have not given an answer to this question; I have really not considered it.

11154. I do not want to press you, if you do not wish to answer it?—I am under the impression that they are all in practice separated now in the lower grades. One Magistrate does magisterial work entirely, and another does road-work and so on.

11155. My question was put on the supposition that the Magistrates did both the executive and general administrative work, and magisterial and criminal work. It was on that supposition that I put that question. If that was not so, I would not put it?—I suppose they do both.

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11156. If they do it, then my question is whether you see any objection to the separation of the two?—I cannot see any objection, beyond expense.

11157. Have you considered the question of expense in detail?—No, I suppose it would be more expensive.

11158. It would be somewhat expensive no doubt, but I suppose if a system of judicial administration be *prima facie* good and if we have adopted a wrong one for some years, it is not a ground against introducing the proper system. The additional expenditure should have been there from the start; however, you have not worked out what the expense would be?—No, I have intentionally refrained from answering the question.

11159. What do you think of the complaint made in some quarters that the promotion and the prospects in the administrative department, I mean the Revenue Department, of these Magistrates who exercise magisterial functions, are entirely in the hands of the Collector, and that he arrives at his opinion about the efficiency or competency of these men from one element only which he takes into consideration, and that is the way in which they exercise the executive and the magisterial functions?—You mean to say that their promotion depends upon the Collector's reports to the Government?

11160. The promotion of all revenue subordinate officers is in the hands of the Collector?—Yes, in the hands of the Collector in that sense.

11161. In the hands of the Collector in substance; though all orders come from the Government, it depends upon the Collector?—Yes, it depends upon the Collector's recommendation.

11162. And the Collector forms his opinion from the magisterial work that a man does?—I suppose so.

11163. Do not you think that the complaint is made, whether rightly or wrongly, and I want your opinion,—that the lower magistracy does not act independently, and there is more or less a studied attempt on their part to satisfy their official superior, the District Magistrate, in the discharge of their magisterial functions?—That is to say, to convict; it comes to that—does it?

11164. Yes, probably?—That is undoubtedly said; I hope it is not the case.

11165. We have not come to any conclusion upon that?—That is undoubtedly said; but I think there is one thing in regard to convictions. There is no doubt that it is easier to acquit than to convict, and I have noticed myself that inferior officers acquit most frequently. It gives them no trouble to do so; there is no judgment to write beyond a few words; and there is practically no appeal. I can quite understand the Collector of a district, when he finds that one Magistrate acquits much more freely than the others, looking into the matter and finding that he is scamping his work.

11166. May I ask if you have worked in the Secretariat?—Yes.

11167. As Legal Remembrancer?—No, I have not been Legal Remembrancer; but I have been Secretary to Government.

11168. Do you have any information as to the number of recommendations for appeals

against acquittals made by District Magistrates and the proportion in which the Government grants those requests?—No.

11169. But supposing the number of applications for sanction to appeal against acquittals was much larger and the sanction is granted in a few cases; then I suppose you take it that the Government does not think that the acquittals have been so improper as to necessitate appeals against them?—An appeal against an acquittal is a very exceptional thing; the Government knows perfectly well that the chances are very much against succeeding. It is only in very strong cases that the High Court will listen to an appeal against an acquittal.

11170. All the same, the Collector and the District Magistrate, who asks for sanction to appeal in a case in which the accused have been acquitted, according to his opinion, wrongly by a lower Subordinate Magistrate—a black mark against that Magistrate would be entered so far as that Collector is concerned?—I suppose so; certainly, if he thinks it an obviously wrong acquittal, he would recommend Government to prefer an appeal.

11171. Supposing, in cases of emergency, the preventive powers of the Criminal Procedure Code are left intact with the District Magistrate or the Collector, would there be the same objection to taking away his magisterial and criminal powers?—No, there would not; and I rather think that there is a scheme on those very lines. I am not aware of it.

11172. (Sir Theodore Morison.) I have only very little to cross-examine you upon. Would you explain to me what you mean by your answer to question (13)? You say, "The experience gained by a Judicial officer during the time when he is employed on general duties is, I think, invaluable." I should like you to explain what it does exactly mean; what exactly are the conditions?—Take, for instance, the revenue system. The revenue system in Bengal is a very complicated system of tenures and under-tenures; and, in the course of his employment on general duties, the young Civilian learns to grasp and understand, and learns what the revenue system is, and he is able to deal much more easily with cases in which that knowledge is essential.

11173. What other questions come before him?—Take another large department—Land Revenue.

11174. What are the cases that come before him?—Cases connected with the collection of the land revenue. Then he gets to know the people. In the general administration he has far more opportunities of meeting the people and learning their customs and their language, than he has when he is sitting in court. It is a wholly different thing to see a raiyat in his village and to see him in court.

11175. That shows the superiority over English Barrister-Judges, and not necessarily Indian Judges?—That is so. He comes to know better than a barrister the people and the different branches of the administration. Then there is the police system; it is necessary to know what the police system is when one is a Judge.

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11176. He is familiar with the administrative machine?—Yes; the whole of the administrative machine.

11177. Those, you think, are the three main reasons?—The language, the people, the administrative machine and the land and revenue system. That is all.

11178. You will add "language"?—Yes.

11179. That again goes against the English Barrister-Judge?—Yes, the language.

11180. You have stated, as regards Munsifs, that they are men who have not done very well in practice at the Bar?—Yes.

11181. Would you tell us how exactly Munsifs are nominated?—I shall explain the system in a few words. Anyone who is at least a Bachelor of Laws and has practised for three years and who is able to produce satisfactory testimonials, may apply to the High Court to be enrolled. He must do so before he is twenty-seven.

11182. I suppose he is obliged to be enrolled?—Yes.

11183. Do you see that the papers sent in are satisfactory, or is he automatically enrolled?—No; otherwise, we would have too many on the list. We only enrol as many as we think are necessary for filling acting vacancies, and as many as are likely to be eventually appointed. If we enrol one hundred to-day, ninety of these would never be appointed at all. We try to enrol as many as we think are likely to be required for filling acting vacancies and are likely eventually to be appointed before they are 31 to the Service. The appointment is in the hands of one of the Judges, who is guided merely by the exigencies of the moment.

11184. I suppose he makes up his mind, after fifty applications are received, that he can only accept five?—We do not do it in that way. They come in from time to time; every week perhaps there is one, or there may be two. Each application is dealt with by itself.

11185. So there is no comparison between the claims of those who are admitted this week and those of others admitted next week?—We have fixed a fairly high standard. There is no comparison in that way. We do not necessarily appoint first one who is enrolled first.

11186. What I wanted to know was how you make the selection for the enrolment?—Subject to numbers, if the applicant has all the qualifications—if he is a B.L. and has satisfactory testimonials—he is enrolled, subject, of course, to numbers, as I said.

11187. That is a very important qualification?—Very important, because for months and months we do not enrol anybody at all.

11188. When a vacancy occurs?—After they are put in this enrolled list, when a vacancy occurs, through a Munsif applying for leave, we recommend to Government that he be granted leave and that somebody from the enrolled list be appointed to act for him.

11189. How is the selection from among the enrolled list made?—At the discretion of the Judge; he whom he thinks best qualified will be selected.

11190. He has to form his opinion on the testimonials?—And invariably he interviews the officer. That is the practice.

11191. Before he is enrolled?—Yes, before he is enrolled.

11192. That particular officer?—No. The first order passed in the case is "The Judge will interview you." If he is told that the Judge will not interview him, he may take it that his application will be rejected. The first step towards his enrolment is that the Judge will interview him, and if the Judge is satisfied with the interview, the applicant is enrolled. Then he must get an acting appointment before he is 29 otherwise he would automatically disappear from the list. Once he gets an acting appointment, he takes his turn, and as his turn comes he fills other acting appointments, and we keep to seniority. And then, if a permanent vacancy arises, we consider the claims of those who have acted and the reports that we receive from the District Judges as regards their efficiency when they have been acting, and then nominate the person to the Government who is best qualified.

11193. Are they men who have held officiating appointments?—Yes.

11194. That is the real selection?—Yes.

11195. You take from among people whose work has been actually under your notice?—Yes.

11196. Then I understand that they have to be in practice for three years at the Bar?—Yes, before they are enrolled.

11197. Is there any particular test of merit during those three years?—I am afraid not. That is why I have suggested that it should be reduced to at least one year, and might be abolished, because they do not get any practice at all during the three years.

11198. In the present condition of the Bar it is impossible for them to get any practice during that time?—Yes.

11199. (*Lord Ronaldshay*) In Mr. Gokhale's cross-examination allusion was made to the high praise given to an Indian officer. Was he personally known to you?—I never met him to my knowledge.

11200. What is the reputation he had in the Service: was he considered an efficient officer, generally speaking, in the Service?—I can scarcely answer that question. I know very little of him; I have never been anywhere near him; I have never been in the same district with him.

11201. I simply want to know whether in the Service he had a high reputation for efficiency?—I am surprised at the encomium passed on him by the *Pioneer*. I have not heard him elsewhere spoken of as the *Pioneer* has spoken of him.

11202. I will ask one question which also arises from Mr. Gokhale's cross-examination. I should like to ask you a question about the appointment of Indians to Secretaryships, and so on. Was it not a fact that between 1907, I think, to 1910, or between 1906 to 1910, I forget which, an Indian was appointed as Junior Secretary to the Board of Revenue in Bengal?—Yes, I remember that was so.

11203. He was?—Yes.

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11204. Do you remember whether he proved to be an efficient and satisfactory officer in that capacity?—I cannot say.

11205. You cannot say?—No.

11206. Was it not a fact that two members recorded their joint opinion that they got no useful service from him?—I am not aware of it.

11207. (Chairman.) Such questions ought to be asked in private and not here.

11208. I will not pursue that point. Putting all personal questions entirely aside, can you tell me whether the Government of Bengal have recently instituted a scheme for training Indian members of the Provincial Service in Secretariat work?—I do not know.

11209. I have a question to ask with regard to what you say as to the necessity of a better course of instruction in law being given to candidates for the Indian Civil Service. Prior to 1891 there was a probationary course of two years, was there not?—Prior to 1891 there was, as in my time.

11210. In the course of that period of probation there was a fairly good course of instruction in law?—Yes, certainly. There were regular lectures at Oxford, and I attended them throughout those two years. I had to attend trials, report cases in law courts, and show that I understand them; and most of us who were in any way fond of law attended the courts a good deal and learnt much.

11211. Subsequent to 1891 the period of probation was reduced to one year, and a large part therefore of the curriculum in law had to be dropped?—I understand so.

11212. What I want to ask you is: have you had any opportunity, in the course of your service here, of comparing the qualifications of those men who entered the Service prior to 1891 with those of the men who entered the Service subsequently?—Yes, I have had opportunities.

11213. What is your opinion; is it your opinion that those who entered the Service prior to 1891 were very much better qualified as far as the knowledge of law was concerned?—Yes.

11214. That is so?—That is my opinion.

11215. If that system was to be restored, if we were to go back to the period of two years' probation in the place of one year's probation and include in the curriculum a regular course of instruction in law which was given when you had the two years' period of probation, would you still consider it necessary to include law as a compulsory subject for the open competitive examination?—Yes; I think I would. I think that the importance of law for every Civilian is, as I have said, very great. I think I would go to the length of making it compulsory.

11216. One other question that I want really to ask you (it is a point of detail) is: in answer to question (125), you say, "The present maximum medical pension is £700 a year after 25 years' total service, of which 21 must have been active." Is it not the case that a Civilian who has had 25 years' service, of which 21 has been active, is entitled to full pension?—There is a mistake in my reply as printed—there must be. I think it must be after anything short of 25 years' total service, of

which 21 must have been active. If an officer, for instance, has put in 24½ years' service, of which 21 has been active, he would get £700 a year only.

11217. You would like to correct your answer?—I must correct it, and what I have now said is correct. There is a slip. As you say, he is entitled to full pension after 25 years' service, of which 21 has been active. How? I think it ought to be "the present maximum medical pension is £700 a year after anything short of 25 years' total service, of which 21 has been active." That is to say, if an officer has served for 24 years and 6 months, he will get a pension of £700 a year, provided he has put in 21 years' actual service.

11218. There is only one more question arising out of your answer to question (137). It is the suggestion that you make in your answer to that question that a Member of Council may refrain from criticising the policy of the authorities, because he is afraid of causing some displeasure to them and therefore risking such chances of promotion as he may have for a Lieutenant-Governorship?—The feeling is that he is not as independent as the Service would like him to be.

11219. And, therefore, if he really thinks that the policy which he had to discuss as a member of the Government of India is open to criticism; if he thinks that the policy is open to criticism—he is, under the present conditions, rather disposed to modify or withhold such criticism for that reason?—It has been thought, in some cases, that they might have been more independent and been more ready to criticise if they had not had this prospect before them.

11220. (Mr. Bompas.) You were asked a question about the amount of administrative work that a District Judge had to do; you instanced Patna, where you had five Munsifs; there are other districts where there are many more Munsifs?—Yes.

11221. I believe there are 25 in Mymensingh and 30 in Tippera?—I do not know that there are quite as many as that. There are districts with a larger number of Munsifs.

11222. The High Court finds it necessary to exercise considerable control over their work, the method of disposing of work by quarterly and annual returns?—Yes.

11223. And they constantly call for explanations of undue delay?—Yes, and of undue detention of witnesses also.

11224. That control is necessary and has a wholesome effect?—I think so.

11225. You think that control is necessary?—Yes.

11226. The District Judge is a factor in exercising that administrative control?—Yes; it is through him that it is exercised.

11227. I would like you to turn to the question of pensions for the Civil Service. It is a fact that the pay of the Civil Service has not been generally raised for a long period?—Yes.

11228. And the cost of living both here and at home has gone up?—Yes.

11229. Do you also agree that, if you raised the age of entry into the Civil Service without raising the initial pay, you would render it less attractive?—Yes.

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11230. That if you offered a man one thousand a month at 29 years of age, it would be more attractive than it would be if you offered it to him at 33 or 34?—Yes.

11231. That raising of the age of entrance would constitute a serious detraction from the attractions of the Service?—Yes.

11232. I take it that the Service, as a whole, would not consider it desirable to ask for a general rise of pay?—I think not.

11233. Do you think that, if the pension of one thousand pounds a year were made a non-contributory pension, it would be welcomed as a reasonable instalment of justice to the Service under the changed conditions?—I think so.

11234. It would be very generally desired?—Yes.

11235. You believe there is a feeling that something should be done to meet the changed conditions?—Yes, undoubtedly.

11236. You say that, as regards the contributory system, whatever the actual pension is, whether we take it at £500 or £600, it would be fairer to pay it than to have the present system of contributory pension?—Yes.

11237. But I suppose it would be undoubtedly less attractive from the recruiting point of view?—Yes.

11238. It would be a fairer way of contributing 4 per cent. towards annuity; it would be fairer that each Civilian on his retirement received a Government pension of £500 or £600 and the contribution he had paid in in the form of provident fund, the return from the provident fund?—Yes.

11239. And received his annual contribution *plus* interest?—Yes.

11240. So that a man who paid much would not be contributing to the pension of the man who paid little?—No.

11241. That also, I take it, would be less attractive from the recruiting point of view?—Yes.

11242. The fact is that a civilian joins in this system of flat pensions practically for the benefit of recruiting?—It comes to that.

11243. And that system does not prevail in any other Service?—I believe not. They all know exactly where they stand.

11244. And it must work very hardly in individual cases?—Yes.

11245. Particularly in the case of a successful officer who rises high and stays longer in the Service?—Yes.

11246. Now, as regards recruitment of District Judges from the Bar, have you considered how it would exactly work in Bengal; has any definite scheme been put before you?—No, the most definite scheme was Mr. Sinha's yesterday.

11247. As to the age of recruitment, I take it that the man would have been some years at the Bar before he is offered the post of a District Judge?—Yes, his qualification would depend entirely upon his practice, and therefore he would have to put in a substantial number of years of work.

11248. You said that a man with first-class prospects in Calcutta would not take up the Judgeship?—I think he would not.

11249. Would you say that a man of even second-class would not?—I do not think

that a man even with second-class prospects would take a District Judgeship.

11250. Would you say that residence in Calcutta is a very great attraction, and an officer will make pecuniary sacrifices to serve in Calcutta rather than in the mufassal?—Yes.

11251. For the purpose of health and the education of his children?—Yes.

11252. So, anybody with a prospect of making Rs. 1,500 or Rs. 2,000 would not take up a District Judgeship?—No. There is also the freedom of the Bar which is a great attraction to its members.

11253. But there would be a very large class of men—men of a third class, who would be glad to take it?—Any number.

11254. And they would be selected, I suppose; it is not proposed to hold an examination for them at the age of 35 or 40?—They would be selected.

11255. As a matter of fact, it would be a system of pure selection?—I suppose it would be.

11256. There would be only one or two appointments a year, if there were as many?—Yes; but I am not sure Mr. Sinha did not suggest an examination.

11257. I do not think so?—He did not.

11258. Is your experience of selection by Government for a few posts generally successful; are there not exceptional difficulties in this country?—There are great difficulties; I know it is a very disagreeable thing to do the selection oneself.

11259. Selection from a host of applicants who have not been successful at the Bar to a post of that kind would lead to great difficulties?—It would be very difficult indeed.

11260. I suppose you agree that the system would not have any resemblance to the English system in which a member of the Bar takes up a judicial office practically at the end of his career?—No resemblance.

11261. When his practice is failing, do you think it would result in any way like that, in Bengal, in Calcutta; do you think that barristers over 50 and 55 would be suitably sent on to the mufassal as District Judges?—Certainly not.

11262. It is not the English system that could be adopted?—Certainly not.

11263. (*Mr. Mukherji.*) I have two small questions to ask you with reference to the 20 listed posts which are now held by the members of the Provincial Service, and to which you refer in answer to question (24). Do you know that four of them are Assistant Sessions Judges with no increase to their pay, and eight of these appointments are appointments of Joint Magistrates and Assistant Magistrates which are now merged in the Provincial Service cadre, so that it leaves only eight posts where men are drawing any pay above the pay of their grades?—I know that it includes Assistant Sessions Judges, but I did not know that it included the others.

11264. Out of the remaining sixteen, you may take it from me—here is the list—there are eight Joint and Assistant Magistrates merged in the Provincial Service grades where men are drawing no extra pay; it leaves only eight

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appointments where men are benefited, that is the extent of the listed posts?—Yes.

11265. When you say that a pleader who is doing anything at all at the Bar would not think of accepting officiating Munsifships, you do not mean Munsifships are filled by failures or the leavings of the Bar?—I have gone too far, I must confess, I am glad you mentioned that matter. I think that, for example, very largely sons of Subordinate Judges and Deputy Magistrates are very often anxious to be appointed from choice rather than from mere necessity.

11266. That gives you a chance of explaining, because it may lead to misapprehension?—Yes.

11267. (Mr. Sen.) You are of opinion that one of the seats on the Bench of the Calcutta High Court should always be occupied by a member of the Provincial Service?—I have said so. That is my opinion: I have long held it.

11268. Will you kindly tell me when an appointment was made from the Provincial Judicial Service to the Calcutta High Court?—I believe only one was made, and I think it was 30 years ago.

11269. In the year 1882?—Yes, and that for six months only.

11270. Since then no appointment has been made from the Provincial Judicial Service?—I believe that has been the only appointment; none before or after that.

11271. I believe there is a Judge in Madras recruited from the Provincial Service?—Yes, I believe so.

11272. His name is Mr. Sadasiva Aiyar?—So I believe.

11273. There is a Judge in Allahabad?—Yes.

11274. Mr. Justice P. C. Banerji?—Yes.

11275. There is a Judicial Commissioner in Oudh, Rai Bahadur Kanhayalal?—Yes, so I believe.

11276. There is no such appointment in Bengal?—No. In the Punjab also there was one, Sir Pratap Chatterji, who retired.

11277. Mr. Justice Ranade was in the High Court at Bombay?—Yes.

11278. My case is that within thirty years no appointment has been made to the Calcutta High Court from the Provincial Service men?—That is so.

11279. You consider that the present system of recruitment of Munsifs after three years' practice at the Bar is defective, and you think that the period of practice may be reduced to one year?—I think so.

11280. At the same time would it not be desirable, that once a candidate is enrolled he should be attached as a probationer to some District Court with a fixed allowance?—I think I have already stated that something of that kind should be done.

11281. You have said that as a probationer particularly he would have this advantage; he would be able to learn all kinds of work, he would assist the Government Pleader, and he would learn work generally?—Some such scheme as that would be very beneficial.

11282. That is desirable in the interests of the candidates themselves, for once they get an officiating appointment, they will have absolutely

no practice at the Bar, even if the man gets an appointment for about three months?—That is the case.

11283. So the system of probationership may be introduced with a fixed allowance?—I think it might be.

11284. The number of listed posts open to the Provincial Judicial Service in Bengal appears to be four out of eight. There are eight listed posts open to Magistrates and Judges in Bengal. There are four listed posts open to District Judges; do you consider that number to be sufficient out of thirty-one Judges including the Legal Remembrancer?—I think I should be quite glad to see that number raised.

11285. In the United Provinces the number has been just raised from five to eight?—Yes.

11286. Here there is an anomaly, as it appears to me, that Magistrates who are appointed from the Provincial Executive Service get exactly two-thirds of the pay of the Magistrates belonging to the Imperial Service; that is to say, a Magistrate of the third grade gets two-thirds of Rs. 1,500, which is the pay of the third-grade Magistrate in the Indian Civil Service. The second-grade Magistrate gets Rs. 1,200, which is two-thirds of Rs. 1,800, which is the pay of the second-grade Magistrate of the Indian Civil Service; but a Judge of the Provincial Service gets only Rs. 1,200 as pay, which is less than two-thirds of the pay of the Civilian District Judge, and then the pay of the second-grade Judge is Rs. 1,600, which is also less than two-thirds of the second-grade Civilian Judge. May I be permitted to ask whether that is fair to the members of the Provincial Judicial Service?—I do not understand why the members of the Judicial Service are not treated in the same way as the members of the Executive Service.

11287. Are you not of opinion that if the members of the Bar be appointed as District Judges, it will cause disappointment to the members of the Indian Civil Service and also to the members of the Provincial Judicial Service?—Certainly it would.

11288. You have already said that there is a good deal of complaint in the grade of Munsifs and that steps are being taken to remedy the grievances of the Service. You recommend a time-scale of pay to enable them to get Rs. 400 after ten years' service; would you go a little further, that is to say, would it not be desirable that the grades should be so readjusted or that the time-scale should be introduced in such a way that a Munsif may become a Sub Judge at an age not exceeding 45 years?—I would rather not go into details; I think some regrading and not some rise in pay is necessary.

11289. But the thing is that at present no one can become a Sub-Judge, unless he is 50 or 49?—Yes.

11290. If the age is lowered by the time-scale system, that would be a distinct advantage?—It would be.

11291. If the present system of recruitment of Munsifs is retained, that is to say, if a Munsif is appointed at the age of 31, is it not desirable that we should fix his salary at Rs. 300?—I should say at least Rs. 250.

11292. I say that at present the Deputy Magistrate, the Extra Assistant Conservator of

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Forests, the Deputy Superintendent of Police, the Assistant Engineer,—these get Rs. 250 as their initial pay, and they enter the service at the age of 25?—I should say it ought to be somewhat higher than what such officers get.

11293. If they enter at the age of 30 or 31 they should get more?—That seems to me reasonable.

11294. Is it not desirable that one of the members of the Provincial Judicial Service should be selected from time to time as Assistant Registrar of the High Court, another as Personal Assistant to the Judicial Secretary to the Government, so that they may be in practical touch with the High Court and the Government in order to enable them to represent their grievance now and then?—I see no possible objection in theory; but I do not know if there would be any difficulty in practice. It is a new idea; I have not heard of it before.

11295. If Munsifs are recruited as now at 31 or 32 years of age, would it not be desirable that there should be some relaxation of the rule requiring that an officer should complete 25 years' service to enable him to earn a full pension? At present frequent extensions have to be granted?—I am inclined to think so.

11296. About 22 years?—I should think so.

11297. There should be a relaxation?—Yes.

11298. Do you think it would be a good training for Munsif's work if they were Assistant Settlement Officers for some time?—Yes.

11299. Do you think that the period of 18 months for each officer is sufficient, or that the training should be for a longer period?—Can you tell me how long it is now?

11300. At present it is 18 months?—I think that ought to be sufficient.

11301. About the Presidency Small Cause Court, at present, a member of our Service is appointed a Judge; but we cannot, as it were, reserve it exclusively for our Service. Should not such a step be taken so that on the occurrence of a vacancy we might get one of the vacancies?—You always have one appointment.

11302. There is Mr. H. N. Roy, but there was no Judge in the Small Cause Court from the Provincial Service some years ago?—I do not quite understand you. As far as I am concerned, I should like to have always from the members of the Provincial Service at least one Judge in the Small Cause Court and one in the High Court.

11303. You have already recommended that Munsifs and Sub-Judges should get privilege leave on full pay?—I have.

11304. There is no objection to combining privilege leave with vacation; at present they cannot?—I think I have said somewhere that all these restrictions are very harassing, all these restrictions on leave. I should like to see them removed. That would cover this case.

11305. There is also a restriction that an interval of six months should elapse between the two leaves?—I meant to include that also when I made the general recommendation.

11306. There are many artificial restrictions on furlough and other leave?—Will you look at my answer to questions (108) to (113)? I say: "Officers do not, as a rule, take anything like all the furlough due to them, and often take far less than they ought to take, simply because they cannot under the altered conditions afford it. The present leave rules are subject to many irritating and useless restrictions, such as those that limit the combination of various kinds of leave and prevent the grant of furlough till completion of eight years' service or within eighteen months after return from privilege leave. Until recently a High Court Judge could not combine ordinary leave with the vacation, and a Judge had to return to India and sit in court on the last day of the term and then return to England for the vacation or spend the latter in India. At last the concession was made that one vacation may be either prefixed or affixed to leave; but beyond that the Secretary of State has found it impossible to go, and a Judge is still prevented from prefixing one vacation and affixing the next, although so far as appears no one benefits in any way by the limitation. I submit that officers should be permitted to draw on any leave to their credit without any restriction other than that imposed by the exigencies of the administration." That covers all these points.

11307. About the pension of officers holding listed posts; they get only Rs. 5,000 just as other covenanted officers. Could not the pension of officers in the position of District Judges or District Magistrates be increased to at least Rs. 6,000 just as in the case of the Inspector-General of Registration?—I hesitate to give off-hand an opinion on these details.

11308. There is one other question, Whether a District Judge should have the power of suspending Munsifs? The law gives him the power, but why not the High Court itself?—I do not remember a single instance of a District Judge making use of that power.

11309. But why should it remain in the Statute book? District Judges do not, as a rule, take the responsibility of suspending Munsifs, but still it is there in law?—If we were re-enacting it, I would strike out that provision without hesitation. It is a mere academical point. The power is never used, at least I have never known it used.

11310. Another little question about joining time: Munsifs transferred during Easter holidays do not get joining time?—That is a grievance of the Munsifs, and I think it is a real grievance.

(The witness withdrew.)

(Adjourned for a short time.)

W. S. MILNE, Esq., I.C.S., Junior Secretary, Board of Revenue.

Written answers relating to the Indian Civil Service.

11311. (1) What is your experience of the working of the present system of recruitment by open competitive examination for the Indian Civil Service? Do you accept it as generally

satisfactory in principle?—I think the present system of recruitment is generally satisfactory in principle.

11312. (2) In what respects, if any, do you find the present system faulty in detail, and what alterations would you suggest?—(1) A knowledge

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of the principles of law is valuable to Executive as well as to Judicial officers, and I would assign 600 marks to the subjects of English and Roman Law at the first examination. (ii) I would insist on a *vidé voce* examination in all possible subjects.

11313. (5) Do you consider that the combination of the open competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Service is or is not to the advantage of Indian interests? Please give your reasons?—I think this combination is advantageous, as it secures a wider field of candidates. The prospect of securing a post in the Home Civil Service is attractive to the best university men. If any such fail to secure a post in the Home Service they may accept a post in the Indian Service. Without this combination the Indian Service might lose desirable candidates.

11314. (7) What is your opinion regarding a system of simultaneous examination in India and in England, open in both cases to all natural-born subjects of His Majesty?—It may be argued in favour of a system of simultaneous examinations that the location of the examination in London prevents many of the best Indians from securing entrance to the Civil Service because of (i) the cost involved, (ii) religious and caste prejudices, (iii) the reluctance of Indian parents to send their sons at a comparatively early age to England, where without parental supervision they may be exposed to great temptations. To my mind these arguments have little weight when compared with the grave objections which may be brought against the system of simultaneous examinations. In order to secure the efficient administration of the country a minimum of European officers is essential. European officers stand clear of all sects and disputes which form a feature of Indian life. They hold a position of impartiality as between different classes of Indians which is generally acknowledged by Indians themselves. Moreover, if India is to be administered on modern progressive lines in regard to Sanitation, Medical Science, Commerce, Education, and the like, a minimum of Europeans is indispensable. If this principle is admitted, a system of simultaneous examination might lead to an *impasse*. Indian candidates might have to be admitted to the Service regardless of the proposed theory of the minimum of Europeans, or preference would have to be given to Europeans regardless of the position they might hold on the combined examination list, in order to preserve the minimum. There are other objections to the proposal. (2) What is wanted in the Service is not so much literary ability and the power to pass examinations, as administrative capacity, *savoir-faire*, a knowledge of the world, *esprit de corps* and the capacity to deal with men. It is submitted that school and college life in the conditions at present prevailing in India is not calculated to turn out men of this type. (3) School and college life in India cannot turn out men acquainted with modern methods of government, in the same way that school and college life in England can. (3) The examinations in India would tend to the recruitment of a large class of Indians who may have large intellectual powers and power of

memory but who are not therefore the best qualified to rule. This criticism will not apply to Europeans or to Indians who now enter the Service through the London examination to the same extent, because such candidates have been brought within the influence of the wider form of European education which tends to produce administrative qualities as much as intellectual. Examinations in India would be unfair to a large mass of Indians themselves. They would exclude the more virile, if less intellectual, sects and races. This was the experience in Bengal when this system of recruiting officers to the Subordinate Executive Service was in vogue. It was found that the examination system practically disqualified Uriyas and the natives of Bihar and Chota Nagpur, in favour of Bengali Hindus. (4) It is certain a very large number of candidates would enter for the examination in India, and the unsuccessful competitors would form a nucleus of discontent. It is doubtful also whether the system would be conducive to improvement in general education. "Crammers" institutions would spring up, and it is probable that they would have a bad effect since their influence would not be counteracted, as in England, by the existence of a large number of universities and public schools. (5) The proposed system would necessarily involve the withdrawal of a large number of appointments given to the Provincial Civil Service, and would thereby foster a spirit of discontent and lower the efficiency of the Provincial Civil Service by a sense of injustice. (6) The practical difficulties in introducing a system of simultaneous examinations cannot be ignored, though I would not lay much stress on this point, as mechanical means might be arranged to overcome these difficulties. Still it must not be forgotten that examination scandals are not unknown in India. (7) It would be a still greater difficulty to secure and maintain a proper and uniform standard in the *vidé voce* examination. (8) Natives of one part of India, from their habits and modes of thought, are not well fitted to discharge the duties of a Civilian in another province, and there is little doubt that for some time Bengal would supply most of the successful competitors. The result of this would inevitably be a plea for the reservation of a certain number of posts for each province. If this were done, the whole character of the examinations would be changed. There would no longer be an open competition. If Hindus secured the vast majority of posts (as they have done even in the open competition in England) the Muhammadans and other sects would naturally feel that the established policy in regard to the making of appointments, which lays down the principle that all communities should have their fair share of posts, had been abandoned. Thus, there would be a tendency towards the intensifying of race jealousy and antagonism which are not unknown in Bengal, and which might at any moment give rise to grave difficulties.

11315 (9). What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service cadre by "Natives of India" recruited by means of a separate examination in India, or by means of separate examinations in each province or group

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of provinces in India? If so, what proportion do you recommend?—See question (23.)

11316 (15). If the system of recruitment by open competitive examination in England is retained, please state the age-limits that you recommend for candidates at such examination, giving your full reasons. Do you consider that the age-limits should be fixed to attract candidates of the normal school-leaving age in England, or candidates who have completed a university course, or candidates at an intermediate stage of education?—Accepting the principle laid down by Lord Macaulay's Committee in 1854, question (20), in regard to the nature of the examination, I think the age-limits should be so fixed as to secure the well-educated man of the period. The best man of this type is the university man, and I would fix the limits therefore as they stood in 1896—1905, at 21—23 years. This limit gives a candidate a chance of completing his university career, and of gaining that *savoir-faire* and that habit of outdoor pursuits which are so essential. The limit of 22—24 years is unnecessarily high. On the other hand, any lower age-limit than 21—23 years would reduce the number of well-qualified candidates; it would result in the selection of schoolboys whose capacity cannot be really gauged at 17 or 19; it would defeat the ideal of securing candidates with a general liberal education, as when a candidate is selected he must leave his general education for a special course of training. The man who has taken an Honours degree has already given evidence of ability and industry such as cannot be given by a youth of the age of 17—19. It may be argued that recruitment at a lower age brings out candidates to India at a time when they have not lost the capacity to take in new impressions, but I do not think much of this argument. The lower age-limit will not suit Indian candidates, and I cannot agree that an officer who has passed the examinations and shown evidence of high industry will necessarily give up interest in new things at the age of 24 or even 25. The duties of a Civilian, from the very start, are such as to demand maturity of judgment, discretion, tact and a thorough education. These qualifications are more likely to be found at the age of 25 than at the age of 21.

11317 (18). What is the most suitable age at which junior Civilians should arrive in India?—See question (15.)

11318 (20). On what principle should the subjects for the open competitive examination be fixed? Do you accept the principle laid down by Lord Macaulay's Committee in 1854 and since followed, that "the examination should be of such a nature that no candidate who may fail shall, to whatever calling he may devote himself, have any reason to regret the time and labour which he had spent in preparing himself to be examined," and that the object should be to secure, not specialists in any particular subject that may be useful in a subsequent Indian career, but the ordinary well-educated young man of the period?—I accept the principle laid down in 1854.

11319 (22). Is any differentiation in the subjects for the examination desirable between candidates who are "Natives of India" and other candidates?—No. There is already

sufficient differentiation, since the subjects of Arabic and Sanskrit are practically never offered except by Indian candidates.

11320 (23). Do you consider it necessary that certain posts should be reserved by Statute for officers recruited to the Indian Civil Service and, if so, what posts and for what reasons? Please state in detail what alterations (if any) you recommend in the schedule of the Indian Civil Service Act of 1861 (24 and 25 Vict., c. 54). [Attention is invited to the provisions of the Indian Civil Service Act, 1861 (24 and 25 Vict., c. 54), and of the Government of India Act, 1870 (33 Vict., c. 3), reproduced as Appendices II and III to these questions.]?—There seems to be little reason for altering the schedule. If the prospects of the Service are not guaranteed, it is difficult to see how recruits are to be attracted. But in any case the list of reserved posts can be encroached upon by executive order under the Act of 1870. The exclusion of posts from the schedule would strike at the principle which underlies the schedule. This principle is that the Civil Service is a *corps d'élite* sufficient to fill the chief administrative posts. It is possible to appoint Indians specially selected and specially qualified to fill posts included in the schedule, but it would be illogical to exclude any proportion of any class of posts from the schedule. The distinction between the Civil Service and the Subordinate Service must be maintained. To exclude any proportion of posts from the schedule would blur that distinction. It is on this principle difficult to see how any of the posts can be amalgamated with the Provincial Service. It is sufficient if it is understood that any Provincial Civil Service man of proved merit may be appointed, in special circumstances, to one of the reserved posts. If it is once admitted that a British element is necessary for the high administrative posts, it is illogical to list appointments or any class of appointments, since it cannot be accepted that members of the Provincial Civil Service can do the work for which the qualifications of Civilians are necessary. I would not therefore accept the theory that a proportion of posts included in the Indian Civil Service cadre can be thrown open to Natives of India. The question cannot be considered from the point of view of India as a whole, and it seems to be useless to fix a proportion of the whole cadre, since conditions in different provinces are widely different. What can be done in practice and should be done, is for each Local Government to decide what districts do not necessarily require Civilians to be in charge. To these districts Indians might be appointed. The number of such districts must vary in each province. It follows that the number of "listed posts" must depend on the number of posts for which Indians are suited. It bears no relation whatever to the number of Civilian appointments in the province. In this way, there would be a prize grade in the Provincial Civil Service the members of which might be placed in charge of a particular class of districts. A light district might, for special reasons, occasionally become heavy and then a Civilian should be put in charge. Even in ordinary circumstances it might be found necessary to put a Civilian in charge of such a district,

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to bring the administration up to the general level of efficiency.

11321 (24). Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the civil administration? If so, to what proportion of the posts included in the Indian Civil Service cadre do you consider that "Natives of India" might, under present conditions, properly be admitted?—See question (23).

11322 (25). Do you accept as generally satisfactory in principle the present system under which "Natives of India" are recruited partly through the medium of an open competitive examination in England, and partly by special arrangement in India, in accordance either with rules framed under the provisions of section 6 of the Government of India Act, 1870 (33 Viot., o. 3), or with the provisions of the Indian Civil Service Act, 1861 (24 and 25 Viot., o. 54)? Do you recommend any alterations in this system and, if so, what?—Indians should still be recruited by open competition in England and certain posts might be filled by members of the Provincial Civil Service, as suggested in answer to question (22) subject to the condition of absolute and proved fitness.

11323 (27). Have the "Natives of India" recruited by means of open competition in England proved, on the average, as efficient as the European members of the Indian Civil Service of the same standing and recruited in the same manner? Has it been found possible and expedient to employ them in all branches of the Administration, whether on Executive or Judicial duties?—The general opinion is that Indian members of the Service are not so efficient as European members. Few become Commissioners, and still fewer have been found suitable for Secretariat posts. As a rule, they are assigned to the charge of lighter districts. In certain districts it would not be advisable to post Indians—24 Parganas, Dacca, Mymensingh, for example. Indians naturally seem to gravitate towards the judicial side in Bengal. Of the twelve Indian Civilians who hold or have held the offices of District Magistrate or District Judge, four are Executive and eight Judicial.

11324 (28). Do you consider that the old system of appointment of "Statutory Civilians" under the Statute of 1870 should be revived and, if so, what method of recruitment would you recommend?—No.

11325 (39). Have the officers of the Provincial Civil Service, selected to fill listed posts, proved on the average as efficient as members of the Indian Civil Service filling posts of similar responsibility, and has it been found possible and expedient to employ them in all branches of the Administration?—See question (23). The answer "No." Officers of the Provincial Civil Service cannot take the place of Civilians, from the very nature of their education. They usually lack a sense of independence and are wanting in initiative and driving power. The consequence is that they are placed in charge of light districts where racial feeling does not run high.

11326 (43). What is your experience of the results of the existing system under which successful candidates in the open competitive

examination are required to undergo a probationer's course of instruction in England? Do you recommend the continuance or abolition of this system? (44) What should be the duration of the probationer's course in England (a) under the present system of the open competitive examination, (b) under any modification of that system recommended by you?—Questions (43) and (44) may be taken together. I do not think that the system of one year's probation is good. It does not give sufficient time for a thorough grounding in law, accounts and the vernacular languages. Law is the basis of administration, and a knowledge of its principles is as necessary to an Executive and Revenue officer as to a Judge. An officer in the Executive or Revenue line must be able to apply the law to facts; he must know accounts as he has to deal with Municipalities, Local Boards, Trust Funds and the like, and he is often called upon to draft rules having the force of law. He must be able to deal with subtle lawyers and he must have a thorough knowledge of the grammar of the language of the people if he is ever to be able to converse fluently. It is not necessary to elaborate the point, as I think it is generally agreed that the Civilian should have a much more thorough training during his probationary period than he receives at present. I would therefore revert to the system of examination as it was in 1891 (Appendix VI) and would place the period of probation at two years instead of one. This extension of the period of probation will not bring out the Civilian at a later age than at present if, as I think should be done, the age-limit is reduced by one year question (15). If the Civilian arrives in India with a thorough knowledge of the principles of Jurisprudence and of the actual practice in the English Courts, there will be little occasion for the adverse criticism which is often levelled at him to-day. To the syllabus of 1891, I would add an examination in accounts and a paper on municipal management. There are few instances in which a Civilian is not the custodian of public money, the Chairman of a Municipality or a District Board.

11327 (45). Do you consider it desirable that probationers should be required to spend their period of probation in England at an approved university?—As an Oxford man, I am, I suppose, prejudiced in favour of the candidates' spending their period of probation at a university. Such residence at a university will be especially valuable in those cases in which a candidate has passed the examination without previously taking a university course. The Service will gain in popularity and prestige if candidates are brought to universities. In addition, the candidates themselves would have the advantage of society and some knowledge of the world. They would also make the acquaintance of one another and would be brought into close contact with every shade of opinion and with men of every grade in life. A university will thus have an enormous advantage over any special college which might be established. Such a college would have no *genius loci*.

11328 (46). If so, do you advise the selection of one or more universities for this purpose, and for what reasons?—The two universities of

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Oxford and Cambridge seem to me to be the best selections, as they will be most likely to produce the required *savoir-faire*. Their "atmosphere" is a *largior æther* than that of the newer non-residential universities. As a matter of fact most men I think gravitate to these two Universities, and concentration will naturally lead to more efficient and uniform teaching for the examinations at the end of the probationary period.

11329 (47). Do you consider that probationers should receive allowances during their period of probation? If so, please give the scale and conditions that you recommend?—The conditions already existing seem adequate, but the allowance should be raised to £200 a year at least.

11330 (48). If you do not advise attendance at an approved university during the period of probation in England, what alternative course of study do you recommend?—See answer to question (45).

11331 (49). Would it, in your opinion, be desirable to establish a separate institution in England for this purpose and, if so, under what conditions?—Such an institution is not desirable.

11332 (50). If a probationer's course is continued in England, do you accept the principle laid down by Lord Macaulay's Committee in 1854, that successful candidates in the open competition should be considered as having finished their general education, and that their future studies should be such as have a special tendency to fit them for their calling? Does your answer apply equally to candidates who pass the open competitive examination after leaving school and to those who do so after completing a University course?—I accept the principle laid down in 1854. I do not think a candidate who passes just after leaving school (aged, say, 17—19) has received a general liberal education. See answer to question (15).

11333 (51). Please examine the statement printed as Appendix VI to these questions, showing the courses of studies prescribed for probationers in 1891 and 1912, and state what alterations (if any) you desire to recommend in the present course (a) under the existing system of the open competitive examination, and (b) under any modification of that system recommended by you.—See answer to question (43).

11334 (52). In particular, please state your opinion as to the desirability during the period of probation of (i) compulsory attendance at Law Courts in England and reporting of cases; (ii) the teaching of Indian Law in addition to the general principles of Jurisprudence; (iii) the teaching of the grammar and text-books of Indian languages with or without any attempt at colloquial instruction; (iv) the teaching of (a) Indian Geography, (b) Political Economy, (c) Accounts.—See answer to question (43). I consider this syllabus of studies eminently desirable.

11335 (53). Do you consider that the probationer's course of instruction can best be spent in England or in India?—See answer to question (43). If the syllabus of studies recommended is adopted, or indeed any syllabus on those lines, residence during the probationary period should be in England, not only on the ground that the candidates have two years' longer sojourn in a healthier climate, but because the subjects to be taught are already provided for by the universities and a knowledge of the practice of the

English Law Courts is desirable. Moreover, those candidates who pass the examination without first attending a university have a chance of doing so, and this advantage is of inestimable value. It would be difficult and expensive to train probationers in India, and probably each province would desire to deal with its own men in its own way.

11336 (54). What is your opinion of a proposal to start, at some suitable place in India, a college for the training of probationers of the Indian Civil Service and possibly of other Indian Services recruited in England?—See answer to question (53). The practical difficulties would be great, and I see no compensating advantage.

11337 (55). What is your opinion of a proposal that each Provincial Government should arrange for the training of probationers by suitable courses of instruction for the whole or portions of the first two years of service at some suitable centre?—See previous answers.

11338 (56). In the report of the Treasury Committee appointed to consider the organisation of Oriental studies in London (1909), the view is taken that the preliminary training in Oriental languages and in Law required by probationers can be given better in England than in India, because of the difficulties which junior Civilians would experience in learning these subjects in India, the lack of good teachers in Indian district headquarters, the difficulty of even good Indian teachers appreciating the European student's point of view, and the difficulty of arduous study in a tropical climate. Do you consider that these objections could be met by a suitable scheme of instruction in India?—I cannot think of any such scheme.

11339 (59). Do you consider that any differentiation is necessary, during the period of probation, between the course of study for probationers who are "Natives of India" and the course prescribed for other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend.—No differentiation for the two years' probationary period in England.

11340 (60). Are you satisfied with the present arrangements for the training of junior members of the Indian Civil Service after they have taken up their appointments in India? If not, what change should, in your opinion, be introduced?—The arrangements are generally satisfactory except in so far as the study of the vernacular is concerned. Civilians should be put through a thorough training in reading manuscripts and in conversation with all classes of Indians. It is presumed that the training in England will give a sound knowledge of grammar and of the written language, but colloquial Bengali is practically a different language, and this colloquial language cannot be adequately learnt in England. There are numerous colleges in Bengal at which arrangements could easily be made for giving junior Civilians the required training.

11341 (61). Is the existing system of Departmental examinations suitable and, if not, what change do you recommend?—I think the system is generally suitable, but would insist on a higher standard in the colloquial tests in the vernacular.

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11342 (62). Do you consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service? If so, what are the causes? Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages and, if not, how could this best be remedied?—I am not aware that there has been any deterioration, but I am of the opinion that the knowledge of the vernacular is not in many cases adequate. The reasons seem to be the increased use of English in official business by Indians, and the enormous increase of office work. In Bengal, the fact that until lately officers were liable to transfer to Orissa, Chota Nagpur and Bihar, where Bengali is not spoken, has naturally led to difficulties in the way of acquiring an adequate knowledge of Bengali. This defect will now be remedied very largely, as Bengali is practically the only language spoken in Bengal as at present constituted. Improvement might be attained if (i) there were a thorough grounding in grammar and the literary language during the period of two years' probation in England question (43); (ii) special measures were adopted to teach the colloquial language on the arrival of junior civilians in India question (60.) The new rules for the encouragement of study in Oriental languages should also help to remove the defect.

11343 (63). Do you recommend any changes in the rules for the encouragement of the study of Oriental languages and, if so, what changes?—The new rules are adequate.

11344 (64). Please give your views as to what steps (if any) are necessary to improve the proficiency in the knowledge of law of members of the Indian Civil Service, distinguishing between recommendations applicable to all officers and to officers selected for the Judicial Branch. In particular, do you favour a system of granting study-leave to Europe and, if so, what course of study (course for a call to the Bar, reading in Barristers' Chambers or other), and what conditions do you propose?—A reversion to the syllabus of 1891 and to a two years' probation will give all officers a thorough grounding in the principles of law. This knowledge should be supplemented in India by practical experience during the earlier years of service. No alteration is required in this respect in the existing practice. For the officer who chooses the Judicial Branch a change should be made, however, about the sixth or seventh year. A certain number of officers might be employed as Munsifs and Sub-Judges, and the best of these, who are selected for service in the Judicial Branch, should be allowed study-leave in England. Such leave might be added to the first period of furlough. I am not sufficiently acquainted with the Law Courses in England to say what course of study is most suitable. The officer undergoing this training should receive an allowance of say £150 a year in addition to his furlough pay *plus* all expenses on account of fees.

11345. (68) Is any differentiation desirable in the system of training after appointment in India between members of the Indian Civil Service who are "Natives of India" and other natural-born subjects of His Majesty? If so,

please state your proposals?—The training might be the same, unless the Indian officer were posted to a province where his native language is spoken. In that case the special training in the vernacular might not be necessary, but I am aware of several cases where Indians who have returned from England know little or nothing of their own vernacular.

11346. (72) The present theory underlying the conditions of service in the Indian Civil Service is that (a) the members of the Service should have sufficient training in subordinate or inferior appointments before they are called upon to discharge the duties of higher ones; and (b) that they should, throughout the whole period of their service, have sufficient salaries and sufficiently responsible duties. To secure these objects the number of posts, called technically "superior" posts, carrying a salary of over Rs. 1,000 per mensem is ascertained, and it is endeavoured to recruit only sufficient officers to make it probable that each officer will find himself officiating, with practical permanency, in at least the lowest of those appointments after the completion of eight years' service. Do you accept this system? If so, do you consider that the period of eight years is suitable, or do you recommend any change? What alteration (if any) would be necessary if the age of recruitment were lowered?—This system seems suitable.

11347. (73) It is also part of the existing system that officers of over two but under eight years' completed service should fill, with practical permanency in the ordinary course of promotion, charges of minor responsibility, called technically "inferior" posts, and should be drawing pay at rates above that of the lowest grade, but not exceeding Rs. 1,000 per mensem. Do you accept this as a suitable arrangement? If not, what alteration would you suggest, and for what reasons?—The arrangement seems generally suitable, but I would not prevent an officer from officiating in a higher post, if he is fit for it, and thus drawing pay at a higher rate than Rs. 1,000 per mensem, even though he may be under eight years' service.

11348. (92) Are the present rates of pay and grading suitable? If not, what alterations do you recommend?—There is discontent in regard to the present pay and grading of the Service on the executive side. The value of the rupee has deteriorated, the cost of living has doubled or even trebled in India, the standard of comfort has risen throughout the world. Moreover, the pay of other Services has been raised. It is much more difficult now than it was formerly for an officer to maintain a suitable official position, and at the same time to make a proper provision for his family. The raising of the age of entry has accentuated the difficulties, since married men at the age of 30 now receive less in the way of salary than was received when the age-limit was lower. Moreover, the great advance made by Indians in education and social matters has tended to increase the public and private calls on officers holding responsible positions. Bengal especially is an expensive place to live in. There are few healthy districts, and officers must anticipate the necessity of an increase in doctors' bills. It is not necessary to labour these points,

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which are matters of common knowledge. Sufficient has been said to show that there are substantial causes for discontent. The grading and pay of the Collectors in Bengal is open to serious objection, not only when compared with the grading in some of the other provinces, but when compared with the grading of the Judicial Branch of the Service in Bengal itself. The grading is as follows:—

| Madras. | Bombay. | Bihar. | Assam. | United Provinces. |
|--|--|---|--|---|
| Rs. 7 on 2,500 14 on 2,250 6 on 1,800 | Rs. 13 on 2,325 13 on 1,800 1 on 1,500 | Rs. 9 on 2,250 10 on 1,800 10 on 1,500 | Rs. 6 on 2,250 7 on 1,800 6 on 1,500 | Rs. 19 on 2,250 21 on 1,833½ 10 on 1,500 |
| Punjab. | Burma. | Central Provinces. | Bengal. | |
| Rs. 10 on 2,250 11 on 1,800 13 on 1,500 | Rs. 12 on 2,230 13 on 1,810 15 on 1,500 | Rs. 8 on 2,250 12 on 1,800 14 on 1,500 | Rs. 12 on 2,250 13 on 1,800 14 on 1,500 | |

In Bengal, in 1881, the grading was 15—15—6. On the judicial side the grading and pay are as follows:—

| | Rs. |
|------------|-----------|
| Three on | ... 3,000 |
| Fifteen on | ... 2,500 |
| Fifteen on | ... 2,000 |

The Collector has, generally speaking, more social duties to perform than the Judge, and his expenses are proportionately heavier. The last officer in Bengal in the list of second-grade Judges drawing Rs. 2,500 has 18 years' service, while the last officer in the second grade of Collectors drawing Rs. 2,250 has 20 years' service.

11349. (93) If any dissatisfaction is felt, does it relate to the pay or grading of the higher or lower posts, or to both?—See answer to question (92).

11350. (94) Do you consider it desirable that there should be uniformity of payment for similar kinds of work in all the provinces, and does any dissatisfaction on this score exist in your province and, if so, what?—There is dissatisfaction in Bengal in regard to the grading of Collectors, which is much worse than in some of the other provinces, and it is also felt very strongly that officers in Bengal should be treated more liberally on account of the notorious discomfort of district work. The recent partition has left Bengal with no really good districts and very much more than its share of bad ones. Similarity of work, if such a thing is possible, should not be the only criterion in fixing pay. A Civilian of the United Provinces, who is now serving in Bengal, tells me that he has often tried to secure a transfer back to his old province although his salary in Bengal is at present higher than what he would be drawing in the United Provinces. His reasons are cogent enough—(i) lack of amenities in Bengal, (ii) unhealthiness of the climate, (iii) the great increase in the cost of living. Theoretically the pay should be at least the same as it was before the depreciation of the rupee, but in any case there is ample ground for the grant of extra allowances in Bengal.

11351 (95) Do you consider that the exchange compensation allowance introduced in 1893, eligibility for which depends on nationality or domicile, should be abolished and, if so, under what conditions? Should such abolition apply to officers already employed, or be restricted to future entrants?—Exchange compensation allowance was introduced for officers who are under the necessity of making regular remittances to England for the maintenance of their families. The value of the rupee is now fixed at one-fourth, but this does not alter the fact that exchange value has declined since 1870, and has automatically produced a substantial and serious reduction in the sterling value of salaries, and any further reduction by the withdrawal of the allowance is undesirable, as it would impair the attractiveness of the Service and entail a consequent risk of reduced efficiency. If the allowance is withdrawn, there should be a full corresponding increase in salaries.

11352. (99) What is your opinion regarding the substitution for the existing graded system of promotion of a time-scale of salary? If you are in favour of a time-scale, should it be restricted to the lower grades of the Service or not?—A time-scale is unattractive. Such a scale may be suitable for a Service of uniform ability, but is opposed to the principle of a Service recruited for superior posts. Promotion to the higher grades is determined by merit, not by length of service, and a time-scale might conduce to indifference and inefficiency. The system of officiating promotion is in a sense a sort of time-scale. These objections would not apply to the training period—up to eight years' service—but the present grading of the inferior posts seems equally suitable.

11353. (104) Turning now to the case of the Statutory Civilians and officers of the Provincial Civil Services holding listed posts, do you approve of the arrangement by which they draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rate do you suggest for the various grades of the Service?—The arrangement is suitable.

11354. (108) Is all the furlough due to them ordinarily taken by officers of the Indian Civil Service? Is it necessary to allow for as much furlough as is permissible by the present rules? If not, what change do you suggest?—It appears that a certain proportion of officers takes a maximum of furlough allowable, and it is not desirable that the amount permissible by the present rules should be reduced. An officer should always have sufficient furlough to allow him to keep a reserve in hand against emergencies. Any change whereby an officer might commute furlough on half pay to half the period on full pay is to be deprecated.

11355. (109) Do you consider that the rates of furlough allowances are suitable? If not, what changes do you recommend?—The minimum of £500 is suitable, but there seems to be no valid reason why the allowance of half pay should be subject to the maximum of £1,000.

11356. (112) Have you any recommendation to make in regard to special leave, extraordinary leave without allowances, and other forms of leave? Do you consider that the present

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conditions governing these kinds of leave and the leave allowances admissible are suitable?—Some of the leave rules are complicated and inelastic, especially such as prevent the combination of ordinary leave of various kinds, and prevent the grant of furlough within 18 months after privilege leave if more than six weeks has been taken, or within three years after a previous furlough or until the completion of eight years' service. All leave which stands to an officer's credit he should be allowed to take, subject, of course, to the claims of the public service.

11357. (114) In particular, are they a contributory cause of excessive transfers of officers of the Indian Civil Service and, if so, how can this difficulty be met?—Greater elasticity in the rules as already suggested in question (112) would in some cases prevent transfer, since an officer leaving an officiating appointment, say, as a Commissioner, three months before he could take leave, would have to turn out the Collector who was acting for him. If the rules were less rigid the officer might take leave at once, and thus one transfer, if not more, would be avoided.

11358. (119) Would a non-contributory system of superannuation pensions, varying in amount with the amount of salary drawn at the time of retirement, be preferable in the interests either of the Government or of the members of the Indian Civil Service?—It is difficult to answer this question without knowing the contemplated scale of pensions. The system of equal pensions for all officers is one of the greatest attractions of the Service, and I see no reason why the present system of giving all officers £1,000 a year should be altered. It may be argued that high officials like Lieutenant-Governors should receive increased pensions, more especially as such officers after 35 or 40 years' service may have actually contributed the full actuarial value of their pensions. But during the period of holding high office they have received high salaries, and such salaries are their own sufficient reward. I take it the principle on which the fund was established is that all subscriptions paid by an officer should be paid for the benefit of the fund as a whole and not for his own benefit. On these grounds, I think the pension should remain fixed at £1,000 for all. This system has solid advantages, as it promotes retirements at a comparatively early age by the assurance of an adequate retiring pension. There is, however, a certain amount of dissatisfaction among senior men, who may feel that they are helping to make up deficit contributions of men who retire early, but any alteration would seem to involve a change of principle. With regard to the suggestion of a non-contributory system of pensions varying in amount with the amount of salary drawn at the time of retirement, it is difficult, as I have said, to express an opinion, but it seems clear that such a system might in many cases cause a serious block in promotion, as an officer who, say, draws pay at the rate of Rs. 2,250 per mensem and is passed over for promotion will at the time of his retirement draw no more. He will therefore be compelled to remain in Service much longer than he would do under the present system.

11359. (122) Do you consider that a similar system should be applied to the cases of high Executive officers and, if so, to which? Please state the amount of pension and the conditions which you recommend as suitable?—I would adhere to the limit of £1,000 in all cases.

11360. (124) Do you recommend the introduction of a system of reduced pensions for such officers as may be found to be inefficient, but whom it would be difficult to retire without some provision for their subsistence? If so, what do you suggest?—Yes. There should be strict selection for high appointments, and inefficient officers should be retired on reduced pensions. But compulsory retirement is a drastic measure, and there should be safeguards against personal dislike or bias. No officer should be called upon to show cause against his compulsory retirement by any Local Government until that Government has placed the facts before the Government of India and has obtained their previous sanction to the course of action contemplated. And of course all officers should be given a full opportunity to be heard in their defence. A definite scale of proportionate pensions should be adopted as a standard. The scale might be the same as that for retirement on medical certificate. See answer to question (125).

11361. (125) Do you consider the existing pension rules suitable in the interests both of the Government and of the members of the Indian Civil Service? In particular, what is your opinion of the present rules regulating voluntary and compulsory retirement?—Compulsory retirement on the ground of ill-health is usually due to no fault of the invalided officer himself, and I do not see why he should be penalized on account of his breakdown, especially when that occurs towards the end of his service. The present maximum of medical pension is £700 after 25 years' total service, of which less than 21 years has been active. The amount of the annuity becomes, as the officer advanced in the Service, considerably less than a full proportionate pension.

The following scale seems more appropriate:—

| | |
|--|-----------------------|
| Less than 5 years | £500 (as at present). |
| Afterwards for each year an annuity of | |
| £150, £180, £210, £240, £270, £310, | |
| £350, £390, £430, £470, £510, £550, | |
| £590, £630, £670, £725, £780, £835, | |
| £890, £945. | |

11362. (129) Do you accept as satisfactory the regulations of the Indian Family Pension Fund, or have you any suggestions to make either for their abolition or for their alteration? Have you any proposals to make in regard to the present methods of working such regulations?—A widow of an officer will receive for an orphan son the following pension:—

| | |
|--------------------------------|------|
| From birth to the age of 6 ... | £25 |
| From 6 to 12 ... | £50 |
| From 12 to 21 ... | £100 |

The pension stops too early, and should go on to 24 to enable a widow to give her son an adequate education so that he may follow, if he so wishes, in his father's footsteps by having the means to qualify for the Service. The increased

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cost should be met by the reduction of the pension at the earlier stages or by increasing the subscription.

11363. (130) In particular, do you approve of the exclusion from their benefits of "Natives of India" who are members of the Indian Civil Service? If not, under what conditions would you admit them, having regard to the main differences between their social conditions and those of the European members on which the present system is based?—On general grounds, I would object to differences of treatment of Indian and European members of the same Service in this matter, but differences in social customs may make it inadvisable to include Indians in the existing scheme. The remarriage of Indian widows is uncommon. Indian girls marry at an earlier age than European girls. There is also probably a very large difference between Indian and European life statistics. These considerations and their effect on the funds must be carefully examined. The matter is still further complicated by the fact that some Indians have married European

wives. According to the custom of the country the relatives of an Indian Civil Servant would usually make adequate provision for his family. If, however, these difficulties, which are chiefly actuarial, can be overcome, and if the inclusion of the Indian officer can be arranged on such terms as would not throw an undue burden on the Fund to the disadvantage of European officers, there seems no reason why the benefits of the Fund should not be extended to Indians. But it seems unnecessary to complicate matters, and it might be a simpler solution of the problem if Government fixed the subscriptions from Indians in accordance with the Uncovenanted Service Family Pension Fund rules, and increased the benefits derived from the Fund, by contributions similar to those given to European members of the Civil Service.

11364. (132) If you do not approve of their admission to the Indian Civil Service Family Pension Fund, do you recommend the formation of a separate Family Pension Fund?—See answer to question (120). On the whole, a separate Fund for Indians seems better.

MR. W. S. MILNE called and examined.

11365. (Chairman.) You are a Junior Secretary of the Board of Revenue, are you not?—Yes, that is my designation.

11366. And I believe you have had twelve years' service?—Yes.

11367. What positions have you occupied during the latter part of your service, say, the last six years?—I was Under-Secretary for some time, and after that for about three years and nine months I was a private Zemindar, and I have been in my present billet since last August.

11368. You say you are in favour of continuing the present system of open competition for the Indian Civil Service with certain amendments of detail, one of which is the holding of a *virâ voce* examination in all possible subjects?—Yes.

11369. Could you tell us a little more clearly what you mean by that?—I understand at present that the only *virâ voce* is in modern languages, and I would much prefer if we could have something like the *virâ voce* examination in the Oxford Greats in which a man is taken more or less through the whole curriculum.

11370. You think that such a scheme would provide a more effective test?—I think so.

11371. Would there not be a certain amount of practical difficulty in carrying it out with so large a number of competitors and so many subjects?—There would be that practical difficulty, I admit.

11372. You are opposed to simultaneous examinations?—Yes.

11373. And one of your objections is that school and college life in India cannot turn out men acquainted with modern methods of Government in the same way that school and college life in England can?—That is so.

11374. Will you elaborate that opinion?—I do not think that school life in India, which I know, can at all compare with the school life at home, where boys, at not a great age, get a certain amount of control over other boys and learn the way of managing boys, which

I think is an exceedingly valuable thing. As far as I know, that does not happen in Indian schools. I say very much the same with regard to college life. Here we have nothing resembling the life at Oxford or Cambridge where there is the real residential system. I do not think you can get in India all that knowledge of the world and way of dealing with men that you can get from education in a college at home.

11375. Would you be opposed to the establishment of a separate examination in India as distinct from a simultaneous examination?—Yes, I think I should.

11376. What would be your objections to that?—I am not sure whether the standards would be the same.

11377. A separate examination with the same standard?—My objection to that would be that, I take it, it would be entirely confined to Indians, and they are not really the type of men who have been trained in European methods.

11378. Would you entertain the same objection if facilities were given to Indians to go and obtain that education in England, either before or after passing the examination in India, prior to their entering the Service?—I think it would depend on the age. I do not think you can learn the European spirit by going home after passing an examination out here, and spending, say, two years in Europe. It is a thing that must be imbibed gradually.

11379. Would you say that those Indians with whom you have come in contact, men who have passed through the open competitive examination, have, to any effective degree, imbibed the European spirit?—Amongst the men of my acquaintance I know some members of the Indian Civil Service who have spent a good deal of their time at home and passed out there, and I know one or two instances in which men have taken their degrees here and gone home for a year or two and then passed into the Indian Civil Service through

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the open competitive examination at home, and I think the former class have imbibed more of the spirit to which I refer.

11380. And that is a spirit which you think is necessary for good administration in India?—Yes.

11381. You say also that simultaneous examinations would necessarily involve the withdrawal of a large number of appointments given to the Provincial Civil Service. Do you consider that that would be inevitable?—Not absolutely inevitable.

11382. You do not regard it as impossible to have an examination, whether it be separate or simultaneous, and at the same time to retain a certain number of listed posts for the Provincial Civil Service?—I am strongly in favour of listed posts for the Provincial Civil Service.

11383. The question is not whether you are in favour of the listed post system but whether the institution of simultaneous examinations would necessarily involve the withdrawal of a large number of the listed appointments. I gathered you meant that the listed post system might have to be abolished if simultaneous examinations were started?—Yes. The idea in my mind was that you would get men out here without European training, men who would be more or less of exactly the same class that now get into the Provincial Civil Service and attain to listed posts, and there would be no very good reason why there should be this distinction. The same men who get the listed posts would have their chance in the simultaneous examination.

11384. Would you regard the abolition of the listed post system in those circumstances as detrimental to the Indian administration?—I should not like to say outright anything about that. There might be a certain feeling of injustice among the men who were already in the Provincial Civil Service.

11385. You say that the Natives of one part of India are not well fitted to discharge the duties of Civilians in other parts. In the course of your experience have you come across Indian Civil Servants who have been appointed to provinces to which they did not belong by birth?—I have.

11386. What impression has been made on your mind by their administrative work?—I speak not so much from the point of view of an official as of a man who has been round the districts, who is more or less a non-official, which I was in my capacity in the Tagore Estate, and I think the impression among the people was that they would have preferred a man of their own race.

11387. You have come across officials in Bengal who were not Natives of Bengal?—Yes, but I would rather not name them.

11388. I do not ask you to name them; I am only asking an abstract question?—I have come across such instances; I will put it at that.

11389. You recommend that Indians and Europeans alike should be sent to universities for a course of training and you would prefer Oxford and Cambridge?—Yes. I am afraid I am prejudiced in favour of those Universities.

11390. Possibly it is a personal prejudice?—It is absolutely a personal prejudice,

I think, except that if I err I should err with Dr. Jowett, who considered that there is a *genius loci* about these places which you cannot get elsewhere.

11391. There are advantages there not to be found at other universities?—Not to be found at some of the other universities.

11392. Would you say that the same encouragement to students is being given by those two universities as is given in some non-residential universities to-day?—I have no particular knowledge of what has happened in the last few years in that way.

11393. I suppose when you entered the Service you came in on a single year's probation?—Yes.

11394. Do you look back upon that year as having been useful to you?—It was not very useful.

11395. Did you feel that the work which you had entered upon was not complete at the end of the year?—I certainly felt that there was not enough of it.

11396. Therefore you regard one year as too short a period of probation, and two years as about the right time? I should have preferred two years and a longer and more thorough training.

11397. In answer to question (92), you give the grading and pay of the Collectors in Bengal, and say that the position is much worse than in some of the other provinces. What other provinces do you allude to?—Bombay, for instance, as compared with Bengal. There is 1 man in the third grade there and 14 in Bengal.

11398. I will not ask you questions with regard to what your alternative would be, as I daresay you have not thought that matter out?—I have not. I have just made a suggestion here.

11399. In answer to question (112), you say you object to the rules which prevent the grant of furlough within 18 months after privilege leave?—Yes.

11400. Have not arrangements recently been made to enable furlough and privilege leave to be taken in combination?—Yes.

11401. So that the difficulty, to which you refer, has been overcome?—I am only referring there to a case in which you have only taken privilege leave and you want to take furlough within 18 months of that.

11402. Have not arrangements been made now to meet this?—I understand arrangements have been made to alter the leave rules, but I have not seen the orders.

11403. (Lord Ronaldshay.) How long have you occupied your present position as Junior Secretary to the Board of Revenue?—Since the 26th of last July.

11404. Has that post been held by an Indian member of the Service in recent years?—Yes.

11405. Was it not held for a considerable time by an Indian, from 1905 to 1910?—By a Provincial Service man. I think there have been three Provincial Service men in the post in the last few years.

11406. Do you know whether a wish was expressed by the members of the Board for the appointment of a Civilian instead of a

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member of the Provincial Civil Service?—Yes, one of the members himself told me so.

11407. On the ground that they had not found a member of the Provincial Civil Service was rendering altogether satisfactory service in that capacity?—Yes, that was what I was told.

11408. Have you heard it said that the reason why Indians have not proved to be satisfactory officers in secretarial posts is that they have not had opportunities of training in that particular class of work?—The Civilians have had no opportunities either.

11409. But it has been represented to us that Indians have not had adequate opportunities of training in secretarial work, and that that is one reason why they had not proved to be satisfactory officers in secretarial posts. Have you heard that?—I have never been absolutely told that by any Indian.

11410. Do you happen to be aware that the Bengal Government have instituted a scheme, which I think has been in operation for about two years, under which, as I understand, two or three junior members of the Provincial Service are employed for five months during each cold weather as Assistant Secretaries in the Secretariat Department?—Yes, there are several men doing that work now.

11411. The object of that, I suppose, is to give these men every opportunity of becoming trained for this particular class of work?—I suppose so; it could not be anything else.

11412. That being so, it would be entirely wrong to suggest that the Government in this country were anxious to keep Indians out of secretarial posts, would it not?—That would be the conclusion.

11413. Obviously, if they are setting up a system for training these men for that work, their desire is not to keep them out of secretarial posts but to train them in order that they may secure a sufficient capacity to discharge the duties of those posts satisfactorily?—I think that is the obvious conclusion.

11414. In your answer to question (119), you deal with the vexed question as to whether the pension of a retiring officer should be a uniform pension at the rate of £1,000 a year, or whether it should be to a certain extent graded, that is to say, whether men who have served beyond their twenty-five years and held high positions should be entitled to a higher pension when they retire. You admit the force of the argument that high officials like Lieutenant-Governors should receive an increased pension, more especially as such officers after 35 or 40 years' service may have actually contributed the full actuarial value of their own pensions?—I think there is great force in that.

11415. Then you go on to qualify it by saying that these men have of course received high salaries, and that such salaries are their own sufficient reward. But does it not occur to you that if these men received high salaries, they have rendered service for those salaries? They have not received high salaries as a sort of present from the Government, but they have received them because they have been discharging very responsible and difficult duties?—Quite so.

11416. So that that qualification of yours does not seem to me to be of very great weight?—No, from that point of view it has no weight; but my point of view is that if there is to be £1,000 for everybody, it is an attraction to the Service. Therefore they cannot claim, on my theory, that an equal pension is a valuable thing, that they ought to have a higher pension just because they have occupied higher posts.

11417. But could not they say they ought to have a higher pension because they have paid more towards it and have a very much shorter time in which to enjoy it?—Yes, they might say that.

11418. A man who retires after 35 years' service will have 10 years' less in which to enjoy his pension than if he retired after 25 years' service?—Clearly.

11419. At the same time he will be contributing a very much larger sum towards his own pension?—Certainly.

11420. Therefore there seems to be a reasonable ground for the contention that men who have occupied these high positions after very long service should draw a rather higher pension?—There is a lot of force in that.

11421. You rather object to any differentiation in the amount of pensions on the ground that one of the chief attractions of the Service to-day is the uniform pension of £1,000 for everybody?—Yes.

11422. But surely the Service would not become less attractive if you still got the minimum of £1,000 for everybody and gave a little more than £1,000 to those who rendered particular service?—That is true.

11423. So that your grounds for objecting are not very strong?—Not at all strong.

11424. (Sir Theodore Morison.) With regard to your recommendations about the period of probation, you recommend a period of probation of two years, and in your scheme the men are caught in a competitive examination at about 23?—Yes.

11425. During which most of them have passed through the university?—Yes, I should think most of the men would have got their degree then.

11426. Or, even if they had not taken their degree, they would have been reading for a number of years?—Yes, I should think so.

11427. Under those circumstances what is the advantage to them of going back again to the university? They have had all the benefit of the university, have they not?—They have.

11428. Do you think, as a university man, that the men, who have a fourth year or fifth year, or even a sixth year in the case of Greats, are any better than the ordinary men?—The only advantage I got out of my fifth year was that I got to know men I had not met before, men who were coming into the Service, and that I think is valuable.

11429. It is something at any rate?—Yes.

11430. On the other hand, are there not considerable disadvantages in this prolonged stay in a university, especially as a training for a profession? For instance, is the study of law an important thing at the university, and can you ever make it as important as the other

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studies?—No; I do not suppose you can get as good a practical training in law at Oxford as you can in London.

11431. Or Oriental languages?—I should say that is quite as good at Oxford from what I remember.

11432. Even if they have a school of Oriental languages in London?—That was not there in my time.

11433. These subjects of Indian study are rather side-shows at the university, are they not?—Roughly speaking that is true.

11434. And you stayed on with your own friends engaged more or less in your own interests?—Yes.

11435. And I should have thought that it was an accepted University doctrine that the value of residence at Oxford or Cambridge diminishes very rapidly after three years?—That is true, I think.

11436. And you can give the professional training elsewhere as well or perhaps better?—One is rather leaving out the men who have been to a university.

11437. The men who have never been to Oxford or Cambridge would lose?—Yes.

11438. But the great bulk of them are Oxford and Cambridge men already?—I do not know the figures.

11439. We have heard that men are tired of examinations and of special teaching by the time they have passed through the competitive examination. They may probably have had examinations when they left school, when they enter the university, and scholarship examinations, and Greats, and the Tripos, and the competitive examination, and they are about "fed up" with examinations, and want to get to their practical work. Was that the experience of the men of your generation?—Yes, I have heard men express it. I did not feel it particularly myself.

11440. Even if you did not feel it particularly, do you think there is something to be said for that?—I think there is something to be said for that, certainly.

11441. To that extent it is a drawback to a longer probation?—It is.

11442. You think it is sufficient to be weighed in the balance?—I think it is something to be considered.

11443. (Mr. Chaul.) I believe you came to this country about twelve years ago?—Yes.

11444. Did you come straight to Bengal?—I was posted to the Province of Bengal; I went to Orissa.

11445. When you first came, were you able to talk to the Indians in Orissa?—No, I had not learnt the language at all. I had learnt Bengali.

11446. Have you met any Indians in your province, going about in the streets or in the villages, whom you were able to talk to in their own vernacular when you first came out?—Certainly in the beginning I could have made myself understood, I hope, in Bengali.

11447. When you first went to Orissa?—Yes. Immediately after I joined at Calcutta. I was posted at Cuttack where Ooria is spoken, and I had not learnt Ooria.

11448. When you came out fresh, were you able to speak to the people in their own

language and understand their vernacular?—Very badly, I am afraid. I could not have spoken Bengali very well or understood the people very well, but I might have just managed to get on.

11449. What society did you move in when you first came here, European society or Indian? What was the social environment in the first three years, European or Indian?—For the first one and a half year I was in a headquarters station.

11450. I mean this: out of your office hours could you say that you had anything but a European environment about you?—I toured the country and got into the villages.

11451. What I really want to know is amongst whom you were moving socially?—I do not quite understand the point about socially.

11452. My question is whether, when an Englishman first comes out into any province of this country from home, he forms his ideas about the people and their ways of living and their manners and customs from Europeans or from the people themselves?—From the people themselves.

11453. Not from the European friends and acquaintances amongst whom he actually moves first?—To some extent you are bound to take your opinions from them.

11454. I do not know that you are bound to do it?—That is the tendency I think, but it is a tendency which I hope each man will correct for himself.

11455. I do not quite understand how much you can have got from direct conversation, when you could not speak to the people themselves in their own language?—That soon remedies itself when you go about the villages. Within six months I think I could make myself quite understood.

11456. Do you mean to say that an Englishman, after being out here for six months, is able to speak freely to the Indians and understand them in any vernacular?—I should say it is not at all impossible.

11457. Did you do it?—I hope so. I passed the test.

11458. I suppose the opinions you have expressed in your written answers are based on what you have heard since you came out to the country. In answer to question (27) you say, "The general opinion is."—That is an opinion I have gathered in the course of my experience.

11459. Was not that the opinion you heard when you first came out?—No.

11460. You never cared to enquire about an opinion held by Europeans on that point?—Yes, I discussed it.

11461. Did you hear a different opinion from the one you have given now?—No, I have never heard a different opinion from members of my own Service.

11462. So that that is the opinion which was first given to you by men in your own Service, and that is the opinion of your Service generally, practically speaking?—It was not given to me by the men in my own Service at the beginning. Naturally, coming in contact with men of my own Service, I got to know their ideas, but it does not follow that I assimilated their ideas without thinking for myself.

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11463. Do I understand that you have had Indian Civil Service men serving under you?—No.

11464. Have you not had Indian Civil Service men, Natives of India, serving under you?—No.

11465. Then you are not speaking from any personal experience of any Indian Civil Service men?—I am afraid my position has been rather misunderstood.

11466. My simple question is whether the opinions you have given there are based on your own individual experience or obtained from Indian Civil Service men who have been serving under you or with whom you came into direct contact?—No Indian Civil Service men have served under me, but I have come in contact with them.

11467. Is it from that contact that you formed this opinion?—Yes, that is one of the ways in which I formed that opinion.

11468. We have been told here by you and other witnesses that a European officer is far superior to an Indian officer on account of his administrative capacity, larger powers of initiation, superintendence, etc. Now let us take them one by one. During your twelve years' service, will you kindly tell me what original things you have initiated in any department in which you have served?—That is a terrible question!

11469. The Natives, you say, have not the power of initiation, and I should like to get from a man of twelve years' experience, what things he has initiated either in the Revenue Department or the Judicial Department or any Department of the Administration?—I think you rather mean what big things?

11470. Big or small?—Small things one cannot take account of and remember, but there are a number of things which a man initiates.

11471. Can you mention to me anything which you would say an Indian in your place would not have been able to initiate, and which you, because you are an Englishman, were able to do?—It is a very hard thing to say, but perhaps I can give you a personal instance.

11472. It is a very hard thing to say no doubt, and of course it is very hard to say what you have said here. Therefore it naturally occurs to me to test how far what you say is based on facts?—My experience has been rather peculiar as you know. For nearly four years I was a Zemindar, that is, I was a landlord. I was put on foreign service and held no position whatever as a Civilian. I was simply put in to manage a big estate.

11473. Is that anything like a Zemindari Settlement Officer?—This was not a Government post of any kind. The Government took over the management of an estate. It was not a Court of Wards, or anything of that kind.

11474. I am speaking only of Government service and initiation in the Government service in the different departments in which you have served?—That is not what my opinion is based upon. I am basing my opinion on my experience, which I have admitted, is not experience of Indians in Government service.

11475. The question is put with regard to Indians filling posts under Government, and with regard to the performance of the duties

attached to those posts, and the point is how the work of Indian Civilian compares with that of English Civilian. Speaking only from your service as a Government servant—I do not want to know your experience as a Zemindar—I should like to know what things you can point to distinctly in your twelve years' service which you have done which you think an Indian was not capable of doing or would not have done had he been there?—In the Government service? I would not like to answer that question at all.

11476. Have you had any experience of the judicial line?—No.

11477. May we take it that your answer to question (27) does not relate to that half of the Service?—No, when I wrote that answer I had in mind purely the executive side.

11478. So far as the Judicial Branch is concerned, if this Commission is told that Indians perform the duties of Judicial officers equally well, if not better, would you have any objection to having those posts filled by Indians?—Personally, as I say, I have no experience, or very little experience, as an official, of the work of Judges. I have a certain amount of experience from the other side as a non-official, as a Zemindar, both of the work of Subordinate Judges, Munsifs and Judges, but I have no experience as an official.

11479. You have no experience of the Judicial Department and therefore my question proceeds on the assumption that what certain witnesses have stated before us you will assume to be true, that Indians have been found capable of discharging the duties of Judicial officers equally as well as, if not better than, European Indian Civil Service men. In that case, would you have any objection to a modification of the schedule of posts so far as those officers go?—If in every possible way Indian officers can perform the duties on the judicial side which are now performed by European officers, and they are the equal or superior in every possible way then my answer to your question is "Yes."

11480. You did some magisterial work when you first came out here, did you not?—Yes.

11481. When you took up magisterial duties, had you all that grounding which you advise in an answer to one of the questions?—No, I do not think I knew as much about law as I might have done. I had to learn the work; it was hard work, but I learned it.

11482. I suppose everyone must, more or less, learn by making mistakes?—Certainly.

11483. And therefore when it is said that an Executive officer or Judicial officer after 12 or 14 years becomes an able officer, we may take it that in becoming so he must have committed mistakes in his earlier career?—I would not like to say that committing mistakes was the one essential to success.

11484. (Mr. Gokhale.) I will not put any questions to you with reference to simultaneous examinations, because similar opinions to those you expressed have been already expressed by other witnesses; but I should like to know what you mean by one or two things which you say. In reply to question (27) you say, "The general opinion is that Indian members of the Service are not so efficient as European members." What do you mean by "general opinion"; whose general opinion?—The opinion of the people.

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11485. Do you mean the opinion of the people of India?—The people of India.

11486. If you found Indians of position coming here and saying that in their opinion Indians were as efficient members of the Civil Service as European members, what would you say?—That qualification determines the whole of my answer.

11487. Take a man like Mr. Sinha, who stated here yesterday that in his opinion Indian members of the Indian Civil Service were fully equal to English members of the Indian Civil Service?—I should ask Mr. Sinha how many districts he had toured in in Bengal and how many *raiyats*' opinions he had asked.

11488. Do you mean to say that you know the opinions of *raiyats* in Bengal better than a man like Mr. Sinha who has spent all his life in Bengal?—I will not say that, but I think it is possible I have been in more villages than Mr. Sinha.

11489. And you have mixed amongst the *raiyats* and have found out their opinion about the Indian members of the Civil Service?—I have discussed it with every shade of people, from Maharajas to *raiyats*.

11490. You say that few become Commissioners and still fewer have been found suitable for Secretariat posts. I believe it was stated this morning that a man takes about 22 or 23 years' service before he reaches a position when he might be appointed Commissioner; is that so?—I think that is about right.

11491. Can you mention how many Indian Civilians in the Indian Civil Service have so far attained this seniority in Bengal?—I could not say off-hand.

11492. I put it to you that only four Indians attained that seniority through all these years. I believe I am right in saying that there have been only 23 Indians in the Indian Civil Service so far, including the present men; is that so?—I cannot say.

11493. Can you give me roughly the number of Indians in the Indian Civil Service in Bengal to-day, excluding Bihar?—I think it is about sixteen.

11494. I understand it is fourteen. Three have gone to Bihar and I understand five or six have retired; so that about twenty-three Indians have been in the Civil Service up to now, and out of that number I understand only four ever attained the seniority that was necessary to become Commissioners. These are the facts which have been supplied to me. Do you know if the number is more than four?—No, I do not know the figures at all.

11495. If the number is four, and if one of them was appointed Acting Commissioner for one or two years, and then retired before the time came to fill the vacancy permanently, if another became Commissioner and was appointed to the Board of Revenue, if a third was appointed Excise Commissioner and Postmaster-General, and the fourth acted as Commissioner once or twice, do you still think that few Indian Civilians have become Commissioners?—Only one became a *pukka* Commissioner. Of course I cannot go into any reasons, because I do not know the men.

11496. The first man was not superseded, so that there can be no question about his merits. He retired as many English Civilians do: as soon as a man earns his pension he sometimes retires, does he not?—Yes.

11497. He does not always wait to become a *pukka* Commissioner?—That is so.

11498. If a man acted as Commissioner for a year or two and retired, that would not be a point against him?—No.

11499. Out of four men who attained seniority, one became permanent Commissioner, one retired as Acting Commissioner, one was Postmaster-General and Excise Commissioner, and the other officiated as Commissioner and retired. Do you think that among the English members of the Indian Civil Service the proportion of Commissioners would be higher than that?—I would not like to put in the second one as a Commissioner. You say that No. 2 retired when acting as Commissioner. I should like to know the reason why he retired.

11500. Because he had earned his pension. I will give you his name—Mr. Dutt, a very well-known and distinguished man here. He retired because he had earned his pension?—Whatever the reason may be, by "Commissioner" I mean a permanent Commissioner, a man who stayed on and did the work of a Commissioner.

11501. Do you think that that is an unsatisfactory record?—No, it is certainly not an unsatisfactory record.

11502. Do you think that the English record would be better than that, the average record? Do you think that there would be as many as one man becoming permanent, one man acting and retiring, the third man retiring as Excise Commissioner, and a fourth man retiring after acting as Commissioner?—That is one permanent man out of four. I am not prepared to answer your question without looking more closely into the Civil List.

11503. How many Collectorships and Commissionerships have you?—About 39 Collectorships and 5 Commissionerships in Bengal.

11504. So that it is necessary some of the men must retire as Collectors without reaching Commissionerships, whereas all these men touched Commissionerships at any rate?—It was a different circumstance in the old days, because there were more Commissioners. The Province was not as it is now.

11505. But there were more Collectors too?—I am not sure about the figures.

11506. In any case, that does not show any inferiority on the part of the Indian Civilians. Now, about the Secretariat. Have any Indian Civilians been tried at the Secretariat in Bengal, do you know?—No, I do not know of a single instance.

11507. If an Indian has not been tried, how are you able to say that the Indians have not been found suitable?—Because I suppose men are appointed by Government impartially.

11508. That is a large assumption. Do you mean to say that a man like Mr. Dutt would not have made a good Secretariat officer, a man with his great abilities and his industry?—I am not in a position to say whether he had or had not all the other qualities of a Secretary.

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11509. But there might be other reasons?—That I do not know.

11510. There might be reasons of policy, for instance?—I do not know what the reasons of Government were; I only stated the fact.

11511. You say that as a rule lighter districts are assigned to them. Do you know that that is the complaint of the Indian Civilians, that they are not appointed to heavier districts? Have you heard of that complaint from any Indian Civilians?—I heard it yesterday.

11512. But you have not heard it before?—No.

11513. I think that shows you are not much in touch with Indian Civilians?—I never said I was. I pretend more to be in touch with the people.

11514. But these are your brother officers in the Service and we hear much of the *esprit de corps* of the Service?—I know them all very well.

11515. Do you know that Mr. Dutt was appointed to Mymensingh, Barisal and Midnapore, three of the heaviest districts in Bengal?—That must have been some years ago.

11516. But he was appointed?—I take it from you.

11517. (*Mr. Sly.*) I understand that for some three or perhaps four years you were taken out of the ordinary line of the Civilian's work and received a special appointment as manager of a Zemindari estate, outside Government altogether?—Yes, it was a private estate. There was a loan to pay off and I was put in to manage the estate absolutely with a free hand.

11518. You were the manager of a private estate?—Yes, the proprietorship still vested in the Maharaja.

11519. Was that a large estate?—It was one of the biggest in Bengal.

11520. Was it scattered over a considerable number of districts?—15 or 16.

11521. In that capacity you saw from the outside a considerable amount of the work of Civilians and other officials of Government?—A very considerable amount.

11522. And it also gave you exceptional opportunities of being in close touch with the actual *raiya*s and cultivators of that estate?—Yes.

11523. Therefore the opinions you have given have been formed largely on those exceptional conditions?—Yes.

11524. Have you made a special study of the Bengali language at all?—Yes, I have.

11525. And without undue laudation, can you say your knowledge of the Bengali language is exceptionally good for a Civilian?—I am told so.

11526. I think you took the High Proficiency degree in Bengali?—Yes.

11527. Are you acquainted with Bengali literature?—Yes, I have read a good deal of Bengali literature.

11528. From your knowledge of Bengali literature, can you tell us whether you think that Bengali would be a suitable subject for inclusion in the open competitive examination of the Indian Civil Service, an examination subject which would give as good a liberal education as the study of one of the modern European

languages?—No, I do not think it quite would. There is a very wonderful Bengali literature on the literary side, but on what I might call the scientific side there is not very much as far as I know. I think the culture would be rather limited; it would be a very excellent one, but it would be purely literary.

11529. In your answer to question (92), you have compared the pay and grading of the Collectors in the different provinces. Do not you think that, in the consideration of that question, it is necessary to take into consideration also the area, population, land-tenure and the general difficulties of administration in those particular districts when you draw a comparison between the two? If one province had very small districts with a comparatively small amount of work, and another province was found to have very heavy districts with a much larger amount of work, in which the officers did not get promotion until a considerably later period than in the first province, would not you take those facts into consideration?—Yes, I think the amenities of the place and the difficulties of the work ought to be taken into consideration, but I am not sure that I would remedy the thing by making any difference in grading. I am not sure whether I should not do it by local allowances.

11530. You have made some complaint about the superior grading of the Judicial Department. Was not that superior grading introduced expressly in order to induce officers to take up the judicial line, that is to say, to attract men to the Judicial Service?—I have heard that was the reason.

11531. Do not you think that even at the present time it would be necessary to maintain the judicial grading at a higher standard for the same reason?—The conditions have altered a great deal in Bengal, and I think there are other considerations which now attract men to the judicial.

11532. The unpopularity of the judicial as it was once called, is very much less than it used to be?—I think it has become the unpopularity of the executive. The pendulum is swinging the other way in Bengal.

11533. (*Mr. Abdur Rahim.*) Do you know that there is a very large body of barristers in Calcutta?—Yes.

11534. Do you know many of them yourself?—A very great number.

11535. I suppose you know that the Indian barristers are very successful in their profession?—Some of my Indian barrister friends are not, I am afraid, but of course some certainly are.

11536. As a body they are very successful men?—No, I would not go so far as to say that.

11537. Are not Indians successful in the profession of law generally?—How would you test success: what is the criterion?

11538. The same test as in any other walk of life?—Money-making?

11539. That is a very essential test, is it not?—I should not say they were very successful men as a whole. I know of many who have worked a good number of years and are not making a very good living.

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11540. Of course you know in the profession of law even in England there are a very large number who do not make any living at all?—Quite so.

11541. In India, it is not an exception, is it?—No. If you are going to judge of success by making money, I do not think you can say the whole Bar is successful.

11542. I do not say the whole Bar; I say the Indians were successful in the profession of law?—I admit they are very good lawyers, if that is what you mean by success.

11543. Do you think the men you know at the Bar have imbibed the European spirit?—A good many of them have.

11544. Do you know that the profession of law is an entirely European institution, and foreign to India, and I believe to the entire East?—I am not sufficiently an Oriental scholar to say that.

11545. You may take it from me that that is a fact. Do not you think that an entirely European institution has been successful here and the Indians have been very successful in that institution?—There again I do not know what success means.

11546. As advocates they are successful, are they not?—I admit that they are good lawyers.

11547. Good advocates too?—They are better lawyers than advocates I should say.

11548. Do not you think that that shows that the Indians who pursue the profession of law have imbibed the European spirit?—I do not think that a knowledge of the intricacies of law necessarily means that a man has imbibed the European spirit.

11549. (Sir Murray Hammick.) In answer to question (60), you say that there are numerous colleges in Bengal at which arrangements could easily be made for giving junior Civilians the required training. Could you say a little more definitely what kind of arrangement you mean?—The idea in my mind at the time I wrote was that it was quite possible to send the junior Civilians, say, three or four, to a district headquarters for their training, say, to Dacca or even to Calcutta, where there are many colleges, in which they could get a really good training

in the vernacular. The difficulty I felt was that in the mufassal there are not very many good teachers of vernacular and it is very difficult to get an Indian to teach.

11550. (Mr. Bompas.) With regard to the question of *viva voce* examinations at the entrance, are you aware that previous to 1891 there was a *viva voce* examination in all subjects at the entrance examination except mathematics?—I did not know that.

11551. (Mr. Mukherji.) With regard to your answer to question (39), in connection with the listed posts, do not you think that the want of success on the part of the Provincial Civil Service men who have been appointed to these posts has been owing to their having been appointed at too late an age and the right kind of man not having been selected?—I think probably there is something in that.

11552. (Mr. Sen.) In answer to question (39), you say that persons selected to fill listed posts are not as efficient as members of the Indian Civil Service?—Yes.

11553. Do I understand from your answer to Mr. Chaubal that your remarks apply only to Executive officers?—I was speaking simply from the executive side.

11554. And not with regard to the Provincial Judicial officers?—I have no experience of them.

11555. Do you not think that if barristers and vakils are appointed as District Judges, it would be prejudicial to the interests of the Provincial District Judges as a class being recruited from the Provincial Civil Service and the Indian Civil Service?—You mean that there would be less promotion and fewer posts?

11556. At present no barrister or vakil is appointed as a District Judge?—I take it from you that that is so.

11557. At the present time only members of the Indian Civil Service are appointed to the post of District Judge, and also some members of the Provincial Judicial Service. If barristers and vakils are appointed as District Judges, would it not be prejudicial to the interests of these classes of men?—Undoubtedly so, I should think.

(The witness withdrew.)

JANINI MOHAN MITRA, Esq., Registrar of Co-operative Credit Societies, Bengal.

Written answers relating to the Indian Civil Service.

11558. (1) What is your experience of the working of the present system of recruitment by open competitive examination for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—The system of recruitment by open competitive examination is sound in principle. It is, however, a matter of common complaint nowadays that we do not get the best type of Civil Servants under the existing system. The reasons adduced are—(i) The present age-limit is very high, and even the best men and their guardians do not wish to take the risk of failure at an age when it becomes difficult for a man to qualify himself for other vocations. (ii) The present rates of pay for the Civil Servants are not considered sufficiently attractive, considering the

fact that the expenses of living in India have gone up. (iii) The conditions of administration have greatly changed; and government by persuasion and sympathy, which now prevails in the place of the old parental system of government, does not appeal to the imagination of an ambitious young man.

11559. (2) In what respects, if any, do you find the present system faulty in detail, and what alterations would you suggest?—*Vide* answer to question (1).

11560. (3) Is the system equally suitable for the admission of "Natives of India" and of other natural-born subjects of His Majesty? If not, what alteration do you recommend?—It is not suitable for Indians because they have to go to England to appear for the examination, and expenses are prohibitive. The risk of failure, and the difficulty of getting a suitable appointment in

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the event of failure, deter many qualified Indians from competing for the Indian Civil Service. I recommend simultaneous examination.

11561. (4) Further, is any differentiation desirable between other classes of natural-born subjects of His Majesty?—No differentiation is desirable.

11562. (6) If you do not consider the present system of recruitment by an open competitive examination to be satisfactory in principle, please state what alternative you would propose. Do you recommend a system based on any of the following principles:—(a) selection by head masters of schools approved or otherwise; (b) selection by authorities in universities approved or otherwise; (c) nomination by head masters or university authorities and selection under the orders of the Secretary of State; (d) combined nomination and examination; and (e) any other method?—I think the present system of recruitment by an open competitive examination is the best.

11563. (7) What is your opinion regarding a system of simultaneous examination in India and in England, open in both cases to all natural-born subjects of His Majesty?—I am in favour of a system of simultaneous examination in India and in England, open in both cases to all natural-born subjects of His Majesty (*vide* answer to question (3)).

11564. (8) Are you in favour of holding this examination simultaneously at any other centre or centres within His Majesty's Dominions?—No. I am not in favour of holding this examination simultaneously at any other centre or centres within His Majesty's Dominions.

11565. (9) What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service cadre by "Natives of India" recruited by means of a separate examination in India or by means of separate examinations in each province or group of provinces in India? If so, what proportion do you recommend?—I do not advocate a separate examination in India, as it is desirable that all persons should be on a footing of equality so that there might be a feeling of comradeship amongst Civil Servants.

11566. (10) If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which "Natives of India" would be selected in India for admission to the Indian Civil Service by means of (a) nomination; (b) combined nomination and examination; or (c) any other method? If so, please describe fully what system you would recommend. In particular, do you consider it desirable that whatever the system, all classes and communities should be represented? If so, how would you give effect to this principle?—I approve of simultaneous examination, and I am not in favour of any other system of admission of Indians to the Indian Civil Service. Efficiency, to be determined by open and free competition, ought to be the sole test for admission to the Civil Service.

11567. (11) If you are in favour of a system for the part recruitment of the Indian Civil Service by "Natives of India" in India, do you consider that "Natives of India" should still be eligible for appointment in England, or would you

restrict that right to other natural-born subjects of His Majesty?—I am not in favour of any system for the part recruitment of the Indian Civil Service by "Natives of India" in India otherwise than by a free and open simultaneous examination in India.

11568. (12) Would you regard any system of selection in India which you may recommend for young men who are "Natives of India," as being in lieu of, or as supplementary to, the present system of promoting to listed posts officers of the Provincial Civil Services? If the former, what alteration, if any, would you recommend in the conditions governing the Provincial Civil Services?—The present system of promoting officers of the Provincial Civil Service to listed posts is very sound. Any other system in lieu of, or as supplementary to, the present system would only mean a revival of the old Statutory system. This will be greatly resented by the members of the Provincial Civil Service and will make them a discontented body.

11569. (13) Do you recommend any separate method of recruitment for the Judicial Branch of the Indian Civil Service. If so, please describe the system that you would propose?—I do not recommend any separate method of recruitment for the Judicial Branch of the Indian Civil Service, if arrangements can be made for giving the members of the Judicial Branch a suitable training. The method of recruitment from barristers and pleaders proposed in some quarters would only fill the Service with unsuccessful lawyers, and persons with a sense of failure in their profession are not likely to make useful public servants. It will also tend to make the Indian Civil Service a more close body than it is now. An experiment may, however, be made in the direction of the appointment of outsiders to superior judicial posts, and not more than one-fourth of superior judicial posts which would be listed as open to Indians should be reserved for such an experiment.

11570. (14) Are you satisfied with the present definition of the term "Natives of India" in section 6 of the Government of India Act, 1870 (33 Viot., c. 3), as including "any person born and domiciled within the Dominions of His Majesty in India, of parents habitually resident in India, and not established there for temporary purposes only," irrespective of whether such persons are of unmixed Indian descent, or of mixed European and Indian descent, or of unmixed European descent? If not, please state fully any proposals that you wish to make in regard to this matter?—I think the definition is satisfactory.

11571. (15) If the system of recruitment by open competitive examination in England is retained, please state the age-limits that you recommend for candidates at such examination, giving your full reasons. Do you consider that the age-limits should be fixed to attract candidates of the normal school-leaving age in England, or candidates who have completed a university course, or candidates at an intermediate stage of education?—I would so fix the age-limit as to attract candidates at an intermediate stage of education, with a possibility of getting candidates who have completed a university course. I would fix the age-limit

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from 19 to 23, giving every candidate not more than two chances to sit for the examination.

11572. (17) What is your opinion regarding the suitability of the recent recruits to the Indian Civil Service?—I think, as a class, they compare very unfavourably with those who are now on the top.

11573. (18) What is the most suitable age at which junior Civilians should arrive in India?—Twenty-three to twenty-five (or earlier, if possible).

11574. (19) What age-limits for the open competitive examination in England would best suit candidates who are "Natives in India," and for what reasons? Do you recommend any differentiation between the age-limits for "Natives of India" and for other natural-born subjects of His Majesty?—I would fix the same age-limits for natives of India and for other natural-born subjects of His Majesty.

11575. (20) On what principle should the subjects for the open competitive examination be fixed? Do you accept the principle laid down by Lord Macaulay's Committee in 1854 and since followed, that "the examination should be of such a nature that no candidate who may fail shall, to whatever calling he may devote himself, have any reason to regret the time and labour which he had spent in preparing himself to be examined," and that the object should be to secure, not specialists in any particular subject that may be useful in a subsequent Indian career, but the ordinary well-educated young man of the period?—I accept the principle laid down by Lord Macaulay's Committee in 1854.

11576. (21) Please examine the table in Appendix I to these questions, which shows the various phases of the authorized syllabus of the open competitive examination, and state what changes, if any, are, in your opinion, desirable, differentiating between the cases of candidates (a) of school-leaving age, and (b) of university-leaving age?—If the principle laid down by Lord Macaulay's Committee is accepted, there should not be any differentiation between the cases of candidates (a) of school-leaving age and (b) of university-leaving age. The only change in the syllabus which I recommend is that the same marks should be assigned to Sanskrit and Arabic as in Greek and Latin, and Indian History should be included in the syllabus.

11577. (22) Is any differentiation in the subjects for the examination desirable between candidates who are "Natives of India" and other candidates?—No differentiation is necessary.

11578. (23) Do you consider it necessary that certain posts should be reserved by Statute for officers recruited to the Indian Civil Service, and if so, what posts and for what reasons? Please state in detail what alterations (if any) you recommend in the Schedule of the Indian Civil Service Act of 1861 (24 and 25 Vict., c. 54). [Attention is invited to the provisions of the Indian Civil Service Act, 1861 (24 and 25 Vict., c. 54), and of the Government of India Act, 1870 (33 Vict., c. 3), reproduced as Appendices II and III to these questions.]—I do not see any necessity for reserving certain posts by Statute for officers recruited to the Indian Civil Service. I do not see the point for any hard-and-fast rules;

if a really qualified officer can be found outside the rank of the Indian Civil Service, there is no reason why he should not be appointed to a particular post.

11579. (24) Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the Civil Administration? If so, to what proportion of the posts included in the Indian Civil Service cadre do you consider that "Natives of India" might, under present conditions, properly be admitted?—I consider that there should be an irreducible minimum of European officers. I think at least three-eighths of the superior appointments should be held by Europeans. My proposals are that one-fourth of the superior appointments should be listed as open to officers of the Provincial Service; of the remaining posts not less than half should always be held by Europeans. The rules for the recruitment of the Indian Civil Service should provide that at least half should be Europeans.

11580. (25) Do you accept as generally satisfactory in principle the present system under which "Natives of India" are recruited partly through the medium of an open competitive examination in England, and partly by special arrangement in India, in accordance either with rules framed under the provisions of section 6 of the Government of India Act, 1870 (33 Vict., c. 3), or with the provisions of the Indian Civil Service Act, 1861 (24 and 25 Vict., c. 54)? Do you recommend any alterations in this system, and, if so, what?—I accept the principle subject to the remarks that competitive examination should be held simultaneously in England and India and that a certain proportion of posts should be reserved for members of the Provincial Service.

11581. (27) Have the "Natives of India," recruited by means of open competition in England, proved, on the average, as efficient as the European members of the Indian Civil Service of the same standing and recruited in the same manner? Has it been found possible and expedient to employ them in all branches of the Administration, whether on Executive or Judicial duties?—The number of Indian Civilians now in service is, I am afraid, too small to admit of any generalization. The existing Indian Civilians now in service are by no means the best specimens of Indian talent, the reason being that the most qualified Indians hardly go to England. The Indian Civilians are generally excluded from certain posts. I cannot assign any reasons.

11582. (28) Do you consider that the old system of appointment of "Statutory Civilians" under the Statute of 1870 should be revived and, if so, what method of recruitment would you recommend?—I do not recommend the revival of the old system of appointment of Statutory Civilians. It means the creation of three distinct Services, viz., (i) Indian Civil Service, (ii) Statutory Service, (iii) Provincial Civil Service. There will not be any real comradeship between the three Services, and incidentally it will lower the position of the Provincial Service.

11583. (33) Please now refer to the rules, dated 26th August 1910, made in exercise of the

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powers conferred by section 6 of the Government of India Act, 1870 (33 Vict., c. 3), and reproduced as Appendix IV, and to the statement in Appendix V to these questions, showing the number of offices, places, and appointments, commonly known as listed posts, ordinarily held by members of the Indian Civil Service, to fill which it has been declared that members of the Provincial Civil Service can properly be appointed; and say whether the figures given are correct for your province?—As far as I am aware the figures given for this province are correct.

11584. (34) Are all the posts thus listed ordinarily and regularly filled by "Natives of India"? If not, please state for the last five years to what extent there has been any failure to work up to the authorized list, and explain the reasons?—Under-Secretaryship to the Government of Bengal and Junior Secretaryship to the Board of Revenue have not been regularly filled by "Natives of India."

11585. (36) Has the power to fill one-quarter of the listed posts with "Natives of India" other than members of the Provincial Civil Service or Statutory Civilians been ordinarily and regularly exercised? If not, can you give the reasons for this, and do you think it advisable that the power should be utilized and in what directions?—No. The power has not been regularly exercised. As far as I am aware only in one case the power was exercised, viz., in the appointment of Rai Surendra Nath Mitra Bahadur as Under-Secretary. I do not think the power should be ordinarily exercised. It should be exercised in exceptional circumstances.

11586. (37) Does the system by which most of the inferior listed posts are merged in the Provincial Civil Service give satisfaction—(a) to the members of the Provincial Civil Service, and (b) to the public interested in this question, and what advantages, if any, does this arrangement possess?—I do not think the system gives satisfaction to the Members of the Provincial Civil Service. The public interested in the question are apt to forget that any listed posts have been merged. They think the cadre of the Provincial Service has been strengthened.

11587. (38) Is the class of posts listed suitable? If not, in what directions would you suggest any changes and why?—The class of posts is suitable, but more posts should be thrown open, and listed Magistrates and Collectors should be eligible for all appointments included in the cadre of Magistrates and Collectors. At present listed Magistrate-Collectors can hold charge of districts only, they are not eligible for such appointments as those of Director of Agriculture, Commissioner of Excise, etc. My proposal is that the holder of a superior listed appointment should be eligible for all superior appointments, and Government may employ him in whatever manner it thinks fit.

11588. (39) Have the officers of the Provincial Civil Service, selected to fill listed posts, proved on the average as efficient as members of the Indian Civil Service filling posts of similar responsibility, and has it been found possible and expedient to employ them in all branches of the Administration?—Yes, except in a few cases where selection was not made on the ground of any special merit but on account of social

status, etc. Such officers cannot be employed under the rules in all branches of the Administration.

11589. (44) What should be the duration of the probationer's course in England (a) under the present system of the open competitive examination, (b) under any modification of that system recommended by you?—If simultaneous examination is introduced, Indians appointed in India should undergo probation for a period of two years in England. In the case of Europeans appointed in England, they should undergo one year's probation in England and one year's probation in India.

11590. (45) Do you consider it desirable that probationers should be required to spend their period of probation in England at an approved university?—In the case of Indians (especially if simultaneous examination is held) probationers should be required to spend their period of probation at an approved university.

11591. (46) If so, do you advise the selection of one or more universities for this purpose and for what reasons?—I would advise the selection of Oxford and Cambridge universities, where Indian probationers can see the best of university life and come in contact with the best young men in England.

11592. (56) In the report of the Treasury Committee appointed to consider the organization of Oriental studies in London (1909), the view is taken that the preliminary training in Oriental languages and in law required by probationers can be given better in England than in India, because of the difficulties which Junior Civilians would experience in learning these subjects in India, the lack of good teachers in Indian district headquarters, the difficulty of even good Indian teachers appreciating the European student's point of view, and the difficulty of arduous study in a tropical climate. Do you consider that these objections could be met by a suitable scheme of instruction in India?—I think the suggestion of the Treasury Committee was distinctly sound. I do not think the objections could be met by a suitable scheme of instruction in India.

11593. (57) If you have recommended the introduction of any scheme of direct recruitment in India for "Natives of India," whether in lieu of, or supplementary to, the system of recruitment in England, please state what system of probation you recommend for such officers?—I suggest that Indians should undergo probation in England for two years.

11594. (85) In particular, if a period of probation is recommended for such officers, do you advise that it should be passed in England or in India?—It should certainly be passed in England, otherwise any such system would be a failure.

11595. (105) Have you any other proposals to make in regard to the conditions of salary not covered by your answers to the above questions?—I would give every European officer recruited in England an allowance. There should not be any difference in the pay of posts, whether they are held by Europeans and Indians, though it is only right that European recruited in England should get increased emoluments.

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Written answers relating to the Provincial Civil Service.

11596. (1) Please refer to Government of India Resolution No. 1046—1058, dated the 19th August 1910, defining the general conditions which should govern recruitment to the Provincial Civil Service, and reproduced as Appendix A. Are these conditions suitable, or have you any recommendations to make for their alteration?—The general conditions governing recruitment to the Provincial Civil Service as defined in the Government of India Resolution are on the whole satisfactory; but the power of making direct appointments to the higher grades overlooking the claims of those who are already in the Service, should be taken away. It is greatly resented by the members of the Provincial Service, and in several cases has given rise to serious discontent.

11597. (2) Please supply a copy of the rules for the recruitment of the Provincial Civil Service in force in your province. Are these rules suitable, or have you any recommendations to make for their alteration?—At present appointments are made purely by nomination. The old system of open competition combined with nomination should be reintroduced. The present system of nomination by Collectors and Commissioners has distinctly lowered the Service in the estimation of the educated people, and it entails much trouble and loss of self-respect amongst the candidates. A sufficient proportion of appointments in the Provincial Civil Service should be reserved for promotion of qualified members of the Subordinate Civil Service. The proportion should not be less than 25 per cent.

11598. (3) What is your experience of the officers selected by the different methods of recruitment, which method has proved the most satisfactory, and what changes, if any, in the present system of recruitment do you recommend? For direct recruitment do you recommend (a) open competition, (b) nomination, (c) combined nomination and examination, or (d) some other method? Please describe fully the system that you recommend?—I think those officers who had entered the Service by way of open competition are, generally speaking, superior to officers who had been recruited by other methods. For direct recruitment I suggest open competition combined with nomination. The power of nomination should be exercised with a view to secure representation of important communities and to redress inequalities. The power of nomination should be vested in the Governor in Council, and nomination should be limited to those who secure a minimum number of marks in the open competitive examinations and should be generally exercised in favour of those who secure the highest marks. No candidates should be given more than two chances to sit for the competitive examination.

11599. (7) To what extent are non-residents of the province employed in your Provincial Civil Service? Do you consider that only residents of the province should ordinarily be recruited?—Ordinarily, residents of the province should be employed in the Provincial Civil Service. If in any province suitable candidates are not forthcoming, there cannot be any objection to the appointment of non-residents.

11600. (8) Are all classes and communities duly represented in your Provincial Civil Service? Do you consider that this is desirable, and what arrangements do you recommend to secure this object?—Having regard to the qualifications of the different classes and communities, I think all classes are fairly represented in the Provincial Civil Service. I consider that it is desirable that all classes should be duly represented, provided efficient men are forthcoming. I have recommended the combination of nomination with open competition to secure this object.

11601. (9) What is the system of training and probation adopted for officers of the Provincial Civil Service? Do you consider it satisfactory and, if not, what alterations do you recommend?—The present system of training and probation is satisfactory, but I am afraid sufficient care is not taken to give the officers under probation a suitable training. District officers should give more personal attention to this matter and place competent and senior members stationed in the district in charge of the training. Commissioners during their inspections should pay special attention to the training given to the probationers.

11602. (10) Is the existing system of departmental examinations suitable and, if not, what changes do you recommend?—The system is suitable, provided that open competition is introduced. I would recommend some changes in the syllabus of studies if the system of nomination is continued.

11603. (11) Do you consider that any change should be made in the classes of offices and appointments at present included in your Provincial Civil Service?—I do not think any change should be made.

11604. (13) In particular, is the leave reserve adequate, and the system on which it is graded suitable?—I do not think the leave reserve is adequate.

11605. (15) What is the annual rate of recruitment and how is it fixed? Has it worked well in practice and does it secure an even flow of promotion?—About 12 appointments per annum. It has not secured an even flow of promotion.

11606. (16) To what extent is any system of selection for appointments to the higher grades enforced? Is any change of practice required in this respect?—The system of selection is enforced for promotion to the grades of Rs. 500 and upwards. I think promotion to the grade of Rs. 500 should be by seniority, and some system of selection should be enforced for promotions above that grade.

11607. (17) Are you satisfied that, under the existing system of promotion, the interests of individual officers and of the Administration are duly reconciled, and have you any suggestions to make regarding it, particularly on the subjects of selection for higher appointments and of the compulsory retirement of inefficient officers?—I do not think that under the existing system of promotion the interests of individual officers and of the Administration are often duly reconciled. Promotions are often made on the basis of confidential reports, which cannot always be relied on as a safe guide, as the District Officers may take a

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particular dislike to any officer and the latter is seldom given any chance to explain away any charges that may be brought against him. At the time of selection for higher appointments his whole record of service should be carefully taken into account, and any stray remarks against him should be overlooked. I think the compulsory retirement of inefficient officers should be insisted on with greater strictness.

11608. (19) Are you satisfied with the existing arrangements by which certain posts, ordinarily filled by members of the Indian Civil Service, are listed as open to officers of the Provincial Civil Service of proved merit and ability, and is the system followed in making appointments to these posts suitable? If not, what alterations do you suggest?—The existing arrangements by which certain posts are listed as open to members of the Provincial Service of proved merit and ability are quite satisfactory; but I think the number of posts listed as open is very small. I think at least one-fourth or 25 per cent of the superior listed posts should be thrown open to the Provincial Service, and an officer who holds a superior listed appointment should be eligible for appointment to any superior scheduled posts; for instance, a listed Magistrate and Collector can at present only hold charge of districts. I do not see any reason why they should not be eligible for appointments as heads of departments and Secretaries to Government and other higher posts. They ought to be placed in the same position and footing as the old Statutory Civilians and they should be taken in the regular cadre of the Civil Service; otherwise there will always be a brand of inferiority on such officers which will interfere with the efficient discharge of their duties. Incidentally this will increase the prestige of the Provincial Service which is at present regarded as the *pariah* service. I may point out that the Public Service Commission of 1887 recommended that members of the Imperial and Provincial Services should, as far as possible, be put on a footing of social equality, and that when they occupied similar offices they should be graded together in the official precedence list. Selection of officers to listed appointments should be made by the Governor in Council and efficiency should be insisted on with greater strictness.

11609. (20) Are you satisfied with the system by which most of the inferior listed posts are merged in the Provincial Civil Service? If not, what change would you suggest?—No. It is regarded by the members of the Provincial Service as a very unsatisfactory arrangement. There should be separate inferior listed posts, and when appointments to superior listed posts are made claims of officers who have held inferior listed posts should be taken into consideration. I do not recommend the inclusion of the holders of inferior listed appointments in the cadre of the Civil Service.

11610. (21) Are you satisfied with the present designation "the Provincial Civil Service"? If not, what would you suggest?—I am not satisfied with the present designation "the Provincial Civil Service"; but I am not in a position to suggest any other suitable designation. Its great demerit is that it puts a brand of inferiority on officers of the Provincial Service and does not secure that real comradeship and mutual

respect among all the officers of the public service which ought to exist amongst them.

11611. (22) Do you accept as suitable the principle recommended by the Public Service Commission of 1886-87 and since followed, that the conditions of the Provincial Civil Services as regards salary should be adjusted by a consideration of the terms necessary to secure locally the desired qualifications in the officers appointed? If not, what principle do you recommend?—I accept the principle as suitable, subject to the modifications that the terms should be such as to enable the officers to exercise their duties efficiently, and to maintain their prestige as Government officers and to enable them to live decently without causing them any inconvenience.

11612. (23) Please give full information regarding the rates of pay and the number of posts in each of the main grades of the Provincial Civil Service authorized on the 1st April of each of the following years:—1890, 1900 and 1913. When was the last general reorganization effected, and what improvement of prospects was effected thereby?—As far as my information goes, the cadre was reorganized in 1905, and has been twice revised on account of the partition of that year and the repartition of Bengal last year. As far as the higher grades are concerned, the flow of promotion has become worse than in 1890.

11613. (24) Are the existing rates of pay and grading in the Provincial Civil Service of your province adequate to secure the desired qualifications in the officers appointed? If not, what alterations do you recommend?—The existing rates of pay and grading are unsuitable and are not adequate to secure the desired qualifications in the officers appointed, nor for the efficient discharge of their duties. The rates of pay were fixed about half a century ago and the cost of living has greatly increased since then. It should also be remembered that the margin between comfortable wage and the living wage is not high (and in fact very low) compared with the rates of pay in the Civil Service. I think two grades—one on Rs. 900 and the other on Rs. 1,000—should be added to the Service. The number of appointments in higher grades is disproportionately small. The gradings should be so arranged as to secure a quick flow of promotion. It is a matter of common complaint that promotions are painfully slow in the Provincial Service compared with the promotions in the Indian Civil Service.

11614. (25) Are you satisfied with the present system under which officiating promotions are not made in the Provincial Civil Service? If not, what alteration do you recommend?—No, I am not satisfied. It is a source of great discontent in the Provincial Civil Service. The same plan should be followed as in the Indian Civil Service.

11615. (26) What is your opinion regarding the substitution of a time-scale of salary for the existing graded system of promotion? If you are in favour of a time-scale, should it be restricted to the lower grades of the Service or not?—I am in favour of a time-scale to be restricted to the lower grades of the Service, especially up to Rs. 500 grade.

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11616. (28) What is your experience of the practical working of time-scales of pay in other Indian Services?—My experience of the practical working of time-scales of pay in the Opium, Telegraph and Postal Services is that it is working very satisfactorily.

11617. (29) If you recommend any kind of time-scale of pay, please describe the scheme that you propose and state what conditions should be laid down in regard to the grant of increments, promotion to superior grades, charge allowances and other matters of importance. How do you propose to apply such time-scales in provinces where the scale of pay of the Executive and Judicial Branches of the Service is different?—I would recommend a time-scale on the basis of biennial increment of Rs. 50 up to Rs. 500. This will give every officer a chance to rise up to Rs. 1,000 grade before the completion of his service, and I think the increments should be subject to approved conduct and service, and should not be refused without special reasons, and the officer's representation should receive full consideration. As regards charge allowances and other matters of importance, the practice in the Engineering Service should be followed.

11618. (30) Do you approve of the arrangement by which officers of the Provincial Civil Service holding listed posts draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various appointments?—I approve of the arrangement, but full two-thirds should be given, but not 64 per cent. If any local allowance is attached to an appointment, it should not be reduced to two-thirds, but the full allowance should be given.

11619. (31) Is there any reason to suppose that officers of the Provincial Civil Service take more or less leave of any particular kind than they did 5, 10, 15 or 20 years ago? If so, to what is this due?—I am afraid I am not in a position to answer this question. I believe there is reason to suppose that officers of the Provincial Civil Service take more leave than they did before. I attribute the cause to the increased pressure of work, and increased facilities in the way of communications.

11620. (32) Is all the leave on full pay due to them ordinarily taken by officers of the Provincial Civil Service and, if not, what are the reasons? Is the amount which can be earned in your opinion suitable? If not, what alternative arrangement do you suggest?—My answer to the first part of the question is in the negative. The amount which can be earned is suitable, provided that the three months' limit is raised. The three months' limit appears to be rather arbitrary. The reason why officers of the Provincial Service do not ordinarily take all the leave on full pay due to them are as follows:—(i) under article 26 he is precluded from taking any privilege leave within six months; (ii) privilege leave is often followed by transfer, which usually entails heavy pecuniary losses; (iii) the rule requiring officers to give three months' previous notice often stands in the way.

11621. (33) Is all the furlough due to them ordinarily taken by officers of the Provincial

Civil Service? Is it necessary to allow for as much furlough as is permissible by the present rules? If not, what change do you suggest?—Officers of the Provincial Civil Service do not as a rule take all the furlough due to them. It seems to me to be necessary to allow for as much furlough as is permissible by the present rules. I think every five years' service should entitle officers to six months' furlough, subject, however, to the present maximum of two years.

11622. (34) Do you consider that the rates of furlough allowances are suitable? If not, what changes do you recommend?—I think the rates are suitable.

11623 (36). Have you any recommendations to make in regard to special leave, extraordinary leave without allowances and other forms of leave? Do you consider that the present conditions governing these kinds of leave and the leave allowances admissible are suitable?—Some consideration should be shown to those officers who are compelled to take medical leave on account of specially arduous work or work in specially unhealthy places. I recommend increased leave allowance and the extension of the period of leave in such cases.

11624. (39) Do any of the present leave rules press hardly in any way on officers of the Provincial Civil Service and, if so, in what respects? What is, in your opinion, the appropriate remedy? In particular, do you regard the existing differences between the leave rules for the European and Indian Services as suitable?—The restriction that privilege leave cannot be granted within six months of return to duty should be relaxed, especially in view of the fact that privilege leave cannot be claimed as a matter of right. I think clause 14 of article 233, which lays down that when privilege leave is combined with medical leave, etc., the combined leave should not be for less than six months, should be deleted. It is rather hard on an officer to be compelled to take more leave on half pay than is necessary for him.

11625. (41) Have you any suggestions to make in favour of any modifications in its detailed working and, if so, what, and for what reasons?—The rule which requires that officers of the Provincial Civil Service should render two years' continuous service should be repealed, and such officers should be placed in the same footing as the Assistant Superintendent of Police. The period of service qualifying for full pension should be reduced from 30 to 25 years, and officers should be allowed to retire on half pension after 10 years' service in case of breakdown of health, and on full pension after 20 years' service.

11626. (42) Do you approve of the grant of reduced pensions for such officers as may be found to be inefficient but whom it may be difficult to retire without some provision for their subsistence? If so, what do you suggest?—I approve of the grant of reduced pensions in such cases. I suggest that such officers should be granted half of the pension that would have been admissible if they had retired on medical certificate.

11627. (47) Have you any other proposals to make in regard to the Provincial Civil Service not covered by your answers to the above questions? If so, please explain them?—(a) All

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officers of the Provincial Civil Service, irrespective of their grades, should be given the privilege of being presented at the Governor's levée. (b) The rates of their travelling allowances should be raised. (c) Officers of the Provincial Civil Service should be included in the Calcutta House Allowance Scheme. At present, officers of the Postal, Telegraph, Accounts and Educational departments are eligible for house allowances,

but officers of the Provincial Civil Service are *prima facie* ineligible. (d) Officers on transfer should be given special travelling allowances. (e) District and Divisional officers should not be supplied with confidential character books of officers of the Provincial Service serving under them, as such officers may be biased by a previous unfavourable remark passed by other officers.

MR. JAMINI MOHAN MITRA called and examined.

11628 (Chairman.) What is your caste?—I am a Kayastha.

11629. You are a Registrar of Co-operative Credit Societies?—I am.

11630. Can you explain what the position of that post is? I understand it is not a listed post?—In Bengal, it has not been listed as open to the members of the Provincial Civil Service. I belong to the Provincial Civil Service. The post is included in the cadre of Magistrates and Collectors and the appointment of a Provincial Officer has to go to the Secretary of State for sanction, and my appointment as Registrar had to be so sanctioned. I hold one of the posts reserved for members of the Indian Civil Service.

11631. Your position is, therefore, similar to that of a Collector?—The post is included in the cadre of Magistrate and Collector and so, in accordance with the Public Service Rules, I am regarded as a Magistrate and Collector.

11632. You advocate a system of simultaneous examination?—Yes, I do.

11633. Subject to a European minimum?—Yes.

11634. Do you anticipate any difficulty in carrying that proposal into effect?—I do not anticipate any difficulty.

11635. Assuming that the number of Indians who were successful in the examination encroached on your minimum of three-eighths, how would you proceed?—I think the Secretary of State might take power under the rules to ignore those extra Indians who had been successful, or a better course would be that the Secretary of State might take power to omit simultaneous examinations in India for two or three years as the case may be.

11636. If the proportion were exceeded, then the examination in India would cease for two or three years?—Yes. As a matter of fact I do not anticipate that Indians would come out successful in such large numbers as to make it necessary for the Secretary of State to exercise that special power.

11637. I notice that your irreducible minimum of Europeans is three-eighths?—If that is regarded as too low, I should say one-half.

11638. What has made you choose that particular figure?—I am not particular whether it is three-eighths or a half.

11639. Your scheme is that a quarter of the superior appointments should be listed as open to officers of the Provincial Civil Service, and that half the remainder should be held by Europeans, leaving the balance to be filled as the result of a simultaneous examination?—Yes.

11640. You are opposed to the institution of a separate examination?—I am opposed to that.

11641. What is your chief objection to a separate examination as distinct from a simultaneous examination?—If a separate examination is held, I do not think those who are successful in the separate examination will be on a footing of equality with the members of the Indian Civil Service. That is my chief objection.

11642. So that of the two evils or difficulties, the one I have already alluded to in regard to simultaneous examinations, and the one you have alluded to in regard to separate examinations you regard the latter as the greater, and therefore you prefer simultaneous examination?—Yes, I prefer simultaneous examination for that reason.

11643. I notice that, although you suggest that officers who enter the Service through a separate examination, may be regarded as inferior, you do not anticipate that the same stigma will attach itself to those officers who are promoted to the listed posts from the Provincial Civil Service?—I think a certain brand of inferiority attaches to the officers promoted from the Provincial Civil Service, and I think steps should be taken to remove the stigma.

11644. You would like to see those officers who are promoted to the listed posts placed on an equality with members of the Indian Civil Service?—Yes.

11645. You suggest a different term of probation for Europeans and Indians?—Yes.

11646. How will you be able in this case to decide the seniority of Civilians? Will you decide it on the first examination?—Yes, as the result of the open competitive examination.

11647. Seniority would be based upon the single examination instead of upon the aggregate of the two?—Yes, it would be based on the first open competition.

11648. You do not suggest the weeding out of candidates who do not make sufficient progress?—No, as far as I remember I do not suggest that.

11649. You would allow them to enter the Service without any test during their probationary period?—I would apply some test and weed them out.

11650. Can you suggest what steps you would take to carry out that idea effectively?—I am afraid I cannot answer that question off-hand.

11651. I gather from your answer to question (6), dealing with the Provincial Civil Service, that you would nominate after open competition rather than before. You suggest a competitive examination and then nomination from amongst those who have passed. Would it not be better to nominate first and then have

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the examination?—It depends on the meaning of the word nomination. Assurances have to be taken that the persons who go up for examination are men of character and of good antecedents and men of good physique; that is the only sort of nomination I should insist on.

11652. You would not have any consideration given to the claims of the varying castes or creeds?—I have said that the open competitive examination should be supplemented by nomination, and at the time of nomination I would give some consideration to the claims of the different castes and communities.

11653. The way I read your answer was that you would put your candidates through the examination first and then nominate them afterwards?—Yes.

11654. Then I am right in that?—Yes, those who will be appointed as the result of nomination would also have to appear at the competitive examination.

11655. In answer to question (24), you say that the rates of pay of the Provincial Civil Service were fixed about half a century ago, but has not there been any rearrangement of the pay during the past fifty years?—The minimum pay was raised quite recently, but the maximum pay remains as before. There has been some rearrangement of grading. In this connection please see my answer to question (23) relating to the Provincial Civil Service.

11656. But that is not completed yet, is it?—It is not completed.

11657. Then in answer to question (42), you recommend the retirement of inefficient officers on half invalid pensions. Would not such a rule operate somewhat harshly?—I do not see any reason why it should operate harshly because the administration cannot go on with incompetent officers.

11658. I can quite understand a proportionate pension being given to an inefficient officer, but it struck me that a scale based on half the invalid pension was a little harsh?—It might be a little harsh.

11659. What do you mean by the Calcutta House Allowance Scheme, which you mention in your answer to question (47)?—Some officers who are stationed at Calcutta get allowances for house-rent if they have their family living with them.

11660. And you want the officers of the Provincial Civil Service to be included in this scheme?—Yes.

11661. In other words, to have a house allowance?—Yes.

11662. What officers get that now?—Members of the Indian Civil Service, officers of the Education and Accounts Departments, and so on.

11663. But no Provincial Civil Service officers get it and you want them included?—One of the first rules of the House Allowance Scheme is that officers of the Provincial Civil Service are *prima facie* ineligible.

11664. (Sir Murray Hammick.) In answer to question (17), you say, "I think as a class they compare very unfavourably with those who are now on the top," referring to recent recruits to the Indian Civil Service. What special characteristic do you think that is due to—efficiency,

manner, or what?—I should say both to efficiency and manner.

11665. In answer to question (27), you say that Indians are generally excluded from certain posts. What posts do you mean?—The Directorship of Agriculture, the Directorship of Land Records, Secretaryship to the Government of Bengal, and so on.

11666. Are you quite sure they have been passed over for these posts?—I do not know of any case in which a Native member of the Indian Civil Service has been appointed to those posts.

11667. That is all you know about them; you do not know that they have been passed over for them?—No, I do not know that.

11668. (Sir Valentine Chirol.) In your reply to question (13), you appear to anticipate that recruitment to the Judicial Branch from barristers and pleaders would fill the Service with unsuccessful lawyers, and that persons with a sense of failure in that profession are not likely to make useful public servants. Is there a large number of such failures at the Bar?—Yes, quite a large number.

11669. Would you say that the law is a profession in which the majority of young Indians who take to it succeed?—I do not think the majority of Indians succeed; a very small number succeed.

11670. (Mr. Madge.) Among the reasons given by you for saying that you do not get the best type of Civil Servants now, you state that the conditions which prevail in the place of the old parental system of Government do not appeal to the young men's imagination or ambition. Do you think that reason appeals to all candidates for the Civil Service or those who might be candidates?—I have not sufficient grounds to judge, but this is one of the reasons which I have heard suggested by several European Civilians.

11671. Entirely by Europeans and not by Indians?—Not by Indians.

11672. As regards the change to which you refer, have you any grounds for giving us a confident opinion whether this feeling about the change is approved generally in this country or is objected to?—The changes are approved of.

11673. Even by the masses?—I think to a certain extent even by the masses, as far as I am aware.

11674. In answer to question (13), you refer to a suitable training without saying what that suitable training would be, but you immediately follow it up with remarks which seem to show that mere legal training would not satisfy you. What else do you mean by suitable training?—I do not think my second suggestion really excludes legal training. I mean that mere training as lawyers and barristers would not be sufficient. They ought to act as Munsifs and Sub-Judges. After having experience of four or five years in the general administration of the country, they ought definitely to choose whether they will take the judicial line or the executive line and obtain their training as Munsifs and Sub-Judges before rising to a District Judgeship.

11675. You think their experience in the executive line would be a valuable asset?—I should think so.

11676. Even in Judicial officers?—Yes.

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11677. In your answer to question (15), you refer to the age-limits. With reference to any visit to England on the part of either a Civilian or any other class of officer, do you think it an advantage for him to go there during the earlier and more impressionable years of his life; or later when it is supposed that he has greater capacities for observation?—For Indians I would prefer the later years when they have more capacity for observation.

11678. But are his assimilative powers improved with years, or are they at their best during the most impressionable years?—Even if they go at the most impressionable age, I do not think they get very good impressions, because they are busy with their studies and so anxious to pass their examinations. It would be a great advantage for them to go after passing their examination here, because then they have more opportunities of cultivating English society and seeing the best of English life. They really learn more of English life than when they go at a very early age only for the purpose of study.

11679. May I take you to mean that even although they do not absolutely absorb more of English life they would be helped to form a higher ideal? Though a man himself may not assimilate English habits of thought and feeling, he can still form a higher ideal by which he could judge of men and things?—He would have a higher ideal and wider experience of men and things.

11680. In answer to question (24), you say that you think at least three-eighths of the superior appointments should be held by Europeans. Do you say that because you think a British tone ought to be preserved in the administration?—I do not understand what is meant by a British tone.

11681. As far as I can explain it, we have a Government here which is said to be the best the country has ever known, because it has preserved peace for a long number of years, has given security to the masses generally, and all that class of thing; and that is what is said to be included in the British tone?—That ought to be the tone of every civilized government, if I may say so.

11682. Has it been the tone of the governments of India before British rule? I am not asking this for the purpose of making any invidious comparison, but simply because I want to bring out a point. You yourself say that there should be an irreducible minimum of European officers. What object do you wish to secure by that?—As a symbol of British sovereignty.

11683. Only of sovereignty, whether that is good or bad?—We all admit that it is very good.

11684. Then in order to maintain that goodness you think that at least three-eighths of the superior appointments should be held by Europeans. That means less than a half. Do you think that this goodness resides in the machinery that the British Government have perfected in this country or in the personality of its officers?—In the machinery which the British Government has perfected in this country.

11685. And you still think a certain proportion of Englishmen should be maintained?—Yes, as a visible symbol of British sovereignty.

11686. As regards the essential goodness, if all British officers disappeared, would that goodness still remain?—I consider that the system which they have perfected will go on mechanically.

11687. Automatically?—Yes, with only one or two European officers.

11688. Why one or two?—The Governor and the Members of Council. I want that there shall be an irreducible minimum of European officers so that the people should know something of British character and should be impressed with the idea of the British sovereignty.

11689. It is rather to keep up the sovereignty than anything else?—Yes.

11690. (Mr. Macdonald.) How did you get into the Provincial Civil Service?—By way of competition.

11691. You got in through the test of competition?—Yes.

11692. You were not one of the nominated men?—No.

11693. You answer certain questions later on about nomination; do you answer them from your own experience?—Yes.

11694. You have known the sort of pressure that has been brought to bear upon District Officers in order to get the necessary nomination?—Yes.

11695. And it is from the result of your experience that you condemn nomination?—Yes, most emphatically I condemn nomination.

11696. You would condemn it equally emphatically for the Indian Civil Service itself?—Yes.

11697. Perhaps even more emphatically?—Even more emphatically.

11698. Your position as Registrar of Co-operative credit Societies is rather a special one, is it not?—Yes.

11699. Special to yourself?—Yes.

11700. How did you come to get it? Was it as a reward for good services observed by a superior officer?—It is very difficult for me to answer that question; I believe I was in this Department and I believe Government appreciated my work and appointed me.

11701. What do you do as Registrar?—I go about and try to preach co-operation, and I inspect the Co-operative Societies.

11702. In inspecting Co-operative Societies you have of course to inspect the finances?—Yes.

11703. And you have to inspect their method of government, the election of committees, and so on?—Yes.

11704. You have to see that the committees do their work?—Yes.

11705. Do you form new ones?—Yes.

11706. And you watch the whole operation of their business?—Yes.

11707. It is an office that I might assume requires a very considerable amount of organisation?—Yes.

11708. Was the superior officer who appointed you, or who was above you at the time, an Indian or a European?—A European.

11709. And he selected you because you had faculties which enabled you to do this work in a very special way?—I suppose so.

11710. Your selection really was a special selection, and not an ordinary selection?—That is so.

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11711. In your answer to question (12), you refer to the Provincial Civil Service and to listed posts. Supposing we had simultaneous examination and we took the listed posts away from the Provincial Civil Service, what, in your opinion, would be the effect upon the Provincial Civil Service?—It will distinctly lower the Provincial Civil Service in the eyes of the public, it will take away the incentive for zealous work from Provincial officers, and it will emphasise the brand of inferiority which at present attaches to Provincial officers.

11712. On the other side, you get a wider door for entrance into the Indian Civil Service?—Yes.

11713. Would that compensate for the other? Would you regard simultaneous examination as an adequate compensation for the taking away of listed posts from the Provincial Civil Service?—I would have both simultaneous examination and also retain listed posts.

11714. Supposing it was put to you as an alternative,—simultaneous examination without listed posts or the present system with listed posts?—I should certainly prefer simultaneous examination without listed posts.

11715. In answer to question (46), you say you would select Oxford and Cambridge Universities as the places which the probationers have to attend. Have you had any English experience?—No, I have not.

11716. Why do you select Oxford and Cambridge?—Because I hear good accounts of them.

11717. It is a sort of common habit of mind into which an aspiring Indian falls?—I would not say that. I believe Oxford and Cambridge Universities are regarded by everyone as very suitable places for training.

11718. You have served under European officers in this country?—I have.

11719. Did you find a very marked distinction between men who had come from Oxford or Cambridge and men who had not?—I am afraid I cannot say that, but some Oxford men whom I met were distinctly of a superior type.

11720. Would not you say that of some Edinburgh or Glasgow men you have met?—One or two Glasgow men I think are very brilliant, but as a rule I think Oxford men are superior.

11721. You stick to that?—Yes, I stick to it.

11722. In answer to question (17), dealing with the Provincial Section, you say "Promotions are often made on the basis of confidential reports, which may not always be relied on as a safe guide, as the District Officers may take a particular dislike to any officer and the latter is seldom given any chance to explain away any charges that may be brought against him." May I take it from you that, rightly or wrongly, this system of reporting is regarded as being a grievance?—Yes, it is so regarded.

11723. Am I right in putting it in this way, that the real grievance is felt not that a man is reported upon, but that a man is reported upon adversely and knows nothing whatever about it until some time afterwards; it may be some years afterwards?—Yes.

11724. When he suddenly discovers that for something or other of which he knew nothing he had received an adverse report?—Yes.

11725. Do you agree that it is necessary, if there is going to be some sort of central cognizance of how men are going on, that reports must be sent up?—Certainly.

11726. You do not object to the reporting as such?—No, I do not object.

11727. Would it be your suggestion that if a man is adversely reported upon seriously, he ought to be told right away, so that whilst everything is fresh in his mind he may have a chance, if he cares, to put himself right with his superior officer?—Yes.

11728. You would suggest that?—Yes.

11729. And if that were done, this system which you think is inevitable would be robbed of its objectionable character?—Yes.

11730. (Mr. Sly.) In your answer to question (29), you express an opinion that recruitment by a separate examination in England would still lead to a sense of inferiority in the officers recruited by that method. If there were recruitment in India by which officers were included in the same gradation list, received the same pay, and received the same promotion, and were under the same influence and had exactly the same service, and were in every way treated, so far as Government can treat them, on exactly similar lines to the men who were recruited by open competition, would there still exist that feeling of inequality in your opinion?—Yes.

11731. What is the particular inequality that would then exist?—They would be neither fish, flesh, fowl, nor good red herring!

11732. Why not; they are in the same Service, on the same cadre?—But the European members of the same Service would say they had entered by a back door.

11733. A reflection would be cast upon them for having entered by another door?—Yes; and we do not like that.

11734. Would they be judged by the work they did, whether they were successful or unsuccessful officers, whether they were above or below the other men in their practical work and the administration of their districts, or would they be simply judged by the fact that they had come in by a different door?—They would be partly judged by the work they did and partly also by that fact. I think it would be distinctly demoralising to the Indian Civil Service, *i.e.*, to those who enter by open competition in England.

11735. How would it demoralise them?—Because they would be inclined to look down upon these men, and they will be a more exclusive body.

11736. They would look down on these men because they came in by a different method?—Yes.

11737. In reply to question (24), you have suggested that five-eighths of the present cadre should be Indian, and that three-eighths should be European?—I am prepared to modify that opinion now and say that one-half should be Europeans. I have no particular preference for three-eighths.

11738. On what grounds do you fix it at half now?—For the same reason that I fixed it at three-eighths.

11739. I should like to know the reasons why you fixed it at three-eighths?—I think that would be quite sufficient for the administration.

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11740 It is simply a general impression?
—Yes.

11741. Does it refer to Bengal or the whole of India?—I am speaking of Bengal.

11742. In reply to question (27), you say that the existing Indian Civilians are by no means the best specimens of Indian talent. Would you kindly let us know what you mean by that? Who are the best specimens and where do they come from?—What I mean to say is that, under the existing system, the best youths of India cannot go to England to compete for the competitive examination. Only those men go whose guardians command a long purse. I think if simultaneous examinations are held, you will get the best Indians.

11743. And the best Indians at the present time are left in India and take up other careers?—Yes.

11744. A great many Indians go home for the Bar examinations, do not they?—Yes.

11745. Do they include any of the best?—I am not prepared to say that they include all the best.

11746. Now let us come to that question about the Provincial Civil Service and these confidential reports; is it not the case that there is a rule in Bengal that every report of an unfavourable nature shall be communicated at the time to the officer for any remarks that he may wish to offer?—I know of no such rule. There may be such a rule, but we are not aware of it.

11747. Then so far as Bengal is concerned, that is not the practice?—I do not think it is the practice, or at least I am not aware of the rule.

11748. (*Mr. Gokhale.*) You say that the present system of nomination by Collectors and Commissioners has distinctly lowered the Service in the estimation of educated people, and entails much trouble and loss of self-respect amongst the candidates. What do you mean by saying that it has distinctly lowered the Service in the estimation of educated people?—Educated people cannot but feel that all men who now become Deputy Collectors enter by back doors and by means of all sorts of recommendations and it entails a distinct loss of self-respect on the part of the guardians to go and dance attendance on District Officers.

11749. You mean by lowering the Service that they think the best men really do not get in and that inferior men get in?—Yes.

11750. And that the efficiency of the Service suffers in consequence?—Yes, to some extent.

11751. Is it the impression, that the men who enter by competition are really better than the men who enter by nomination?—I have said so.

11752. I believe that you entered, as you said, by open competition?—Yes.

11753. Do you think you could have entered by nomination?—Certainly not.

11754. How are men nominated in this province?—I believe now they have to secure a nomination from a District Officer.

11755. But how is a man to secure that nomination from a District Officer? The District Officer may not know him?—He tries to be friendly with the District Officer, to see him and curry favour with him.

11756. Can a young man try to be friendly with a District Officer?—His guardians can. Those who have no guardians, or whose guardians will not take the trouble, have absolutely no chance of getting into the Provincial Civil Service. Then I believe the nominations are sent up, and there is a conference of Commissioners and Collectors, and they decide. Then probably his parents have to go and see other District Magistrates too.

11757. You mean that the guardians and parents of the young man who wants to enter Government service have to take special trouble to secure nomination?—Undoubtedly.

11758. Do you also mean that this has a demoralising effect so far as the young men themselves are concerned?—Both so far as the young men are concerned, and as far as the District Officers are concerned, and as far as the guardians are concerned.

11759. Are the reports of the Police considered in making these appointments?—I have heard it suggested once or twice.

11760. Has it the result of keeping young men and their guardians from public work of any kind?—I am not aware of that.

11761. You do not mean anything else by the expression beyond what you have stated?—No.

11762. (*Mr. Chaubal.*) I did not quite understand your answer to question (6). What do you mean by your suggestion of competition combined with nomination?—I mean only in order to secure the representation of important communities and to redress inequalities.

11763. But where does the nomination come in; at what stage?—If there are 100 posts vacant, two-thirds of the appointments should be filled up as the result of an open competitive examination, and one-third by nomination from amongst those who had not got to the top.

11764. You are not referring to the unfortunate results you speak of in answer to question (2), as regards nomination?—Not to that extent, because it is merely to secure representation of important communities and to redress inequalities. Certain results might ensue, but not to that extent.

11765. You do not want the nomination to be at the sacrifice of efficiency?—No. I have suggested that from amongst those who have secured the highest marks the nominations should be made.

11766. There is a competitive examination, and 75 of the posts out of the 100 are given to the first 75, and 25 are given to representatives of classes and communities who come out just below the 75?—Yes.

11767. You say in answer to question (1) that the power of making direct appointments to the higher grades, overlooking the claims of those who are already in the Service, should be taken away. That means that seniority should be respected?—I mean to say that outsiders should not be suddenly brought in.

11768. You mean men outside the Service?—Yes, they should not be brought in and appointed to the higher grades.

11769. With regard to your answer to question (27), in performing your duties as Registrar

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of Co-operative Credit Societies, do you have to go round the whole district?—Yes.

11770. The whole province?—Yes.

11771. And on your tour you come across Indian Civil Service men, as well as English Civil Service men, do you not?—Yes.

11772. And you have opportunities of largely knowing both of them?—Yes.

11773. On the whole, from what you see, have you any impression at present that the average Indian Civil Service man is inferior to the European Civil Service man?—I must say that my experience is that the present day Indians of the Civil Service are, to a certain extent, as a class, inferior to European Civil Servants. That is my impression and I believe I have told you the reason why; namely, that the best men cannot go to England.

11774. I quite understand that an intelligent young man with abilities may be prevented by circumstances from going to England, and that would no doubt legitimately give ground for the inference that the best of Indian talent does not go, and also the inference that those who go at present are not the best; but I do not wish you to look at it from that point of view. I wish you to look at it entirely from your own relations, with and experience of, the two classes of officers in the performance of their duties attaching to the offices. Can you see any difference between the two?—It is not a mere inference. I say it from my own experience that Indian Civil Servants are, as a class, inferior to the average European Civil Servants.

11775. In your answer to question (17), I suppose you are comparing the recent recruits of two or three years back with the men of 25 and 27 or 30 years' service?—Yes.

11776. Am I right in supposing that you could not possibly have had any experience of what sort of men these were in the first three or four years of their service?—One gets a general impression.

11777. One gets a general impression of what a man was 30 years before?—It is rather difficult.

11778. As a matter of fact, you have said that, without being able to compare the recruits of 30 years ago when they first came out with the recruits of the present day. Is not that so?—That is so.

11779. In answer to question (13), you say, "The method of recruitment from barristers and pleaders proposed in some quarters would only fill the Service with unsuccessful lawyers; and persons with a sense of failure in their profession are not likely to make useful public servants." I suppose you cannot mention any instances of barristers and advocates being District Judges and proving incompetent?—I have had some experience of barristers being appointed Munsifs, but I have no experience of barristers being appointed District Judges.

11780. You have seen barristers of over ten years' standing being made High Court Judges, have not you?—I do not know exactly what the length of service was before they were appointed Judges.

11781. The rule is that a barrister must be of ten years' standing or over before he can be appointed a High Court Judge?—I did not know that.

11782. (Sir Theodore Morison.) With regard to your answer to question (19), you make certain suggestions for the improvement of the Provincial Civil Service and; in reply to question (21), you suggest that the name should be changed?—I have not suggested it, because I do not think it would be possible.

11783. But you have advised that the name should be changed?—I have not even advised it. I am not in a position to suggest any other designation. I do not think it is possible to do so.

11784. In reply to question (19), you have made certain suggestions for improving the Service and I only want to ask you whether, if those are carried out, you think it will remove the stigma which I understand you to say attaches to the Service?—To a certain extent it would remove it, but not completely.

11785. Would it still be the highest Service or something a little less than that?—Something a little less than that I should say.

11786. It would be an honourable Service, would it not?—Yes.

11787. (Lord Ronaldshay.) You say it is a matter of common complaint to-day that you cannot get quite the best type of men to join the Civil Service, and I understand you attribute that not so much to the system of recruitment as to the decline in popularity of the Service itself?—Yes, because I think their pay is regarded as low now.

11788. The Service is not so attractive as it was some years ago?—No.

11789. One of the attractions of the Service is surely that certain posts are reserved for members of that Service, is it not?—I believe so.

11790. That gives the man who is going to join the Indian Civil Service a Parliamentary guarantee that if he goes out to India he will, in the natural course, find his way to a superior post which is secured to him by the schedule to the Act of 1861; I notice in answer to a question in regard to that that you suggest there is no necessity to reserve any particular posts for the members of the Civil Service. If that is so, you would destroy the guarantee which the Service at present has as to its prospects?—I think people will know that ordinarily those posts will be filled by members of the Civil Service. I do not think it will take away much from the attraction of the Service.

11791. But surely it would still further detract from the popularity of the service if the Parliamentary guarantee which the Service has to-day is taken away?—But it will be to a certain extent counterbalanced by the fact, if my suggestion is accepted, that the pay will be raised.

11792. With regard to your suggestion for qualified simultaneous examinations, you would set aside one-fourth of the superior posts for the Provincial Civil Service, and you would recruit the remainder of the posts by means of examinations carried on in England and in India; but you lay down this condition that at least half the vacancies should be filled by Europeans. Supposing, as the result of an examination which was held to fill up 50 vacancies, there were 30 Indians and 20 Europeans in the first 50 places, how would you guarantee

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your half of Europeans under those circumstances?—I said I would take power from the Secretary of State to exclude the extra five Indians who have got in and put Europeans in in their place, or else I would stop the simultaneous examination in India for two or three years.

11793. Does it not occur to you that to adopt either of those courses would give the Indians a very legitimate ground for agitation? It would be regarded by the people of this country as an injustice, would it not?—I do not think so, if you definitely say when you make the rules that you are going to do it.

11794. Let us assume you were a candidate for the Indian Civil Service, and that you went to England and spent a lot of money on your education, and went up for the competitive examination, and you passed sufficiently high to give you a place in the Service. Then suppose that the Secretary of State were to come down and say, "Oh, no, there is not a sufficient number of Europeans who have obtained the vacancies this year, and therefore you must not have your place, because I have to put a European in instead of you". Do not you think you would feel a very legitimate sense of grievance against the Secretary of State?—When I appear for an examination I am certainly expected to know the rules, and I do not think that that grievance would be regarded as legitimate by other people.

11795. I am bound to say that if I were in that position I should feel aggrieved?—I do not think I should.

11796. (*Mr. Bompas.*) Have you any reason to suppose, during your service, that you have been unfavourably reported upon by your superior officers?—No.

11797. Therefore you will be willing to take it from me, from my practical experience, that when officers of the Provincial Civil Service are unfavourably reported upon, those unfavourable remarks are communicated to them by the Government?—Well, that is not the impression of other members of my Service.

11798. But if I tell you it has been done, and done through me, you will take it?—If it has been done, I will accept it on your statement.

11799. As regards this system of nomination for the Provincial Civil Service, are you aware that it was introduced in order that the different classes of the province might be represented?—I do not exactly know the reasons why the nomination system was introduced.

11800. Let me tell you what the system is. The nominee has to be a B.A., a graduate of a university. That limits the field of selection. Then, as a nominee of the Collector he must be a resident of the district, and that secures that candidates are received from all parts of the province. From amongst those candidates in the district, attention is paid partly to social status and partly to the service rendered to Government by his family in Government service or otherwise. So that you get a high standard of education qualifications and recruits drawn from different parts of the province. Would you agree that there was a good deal to be said for that system at the time when the province had Bihar and Assam and Eastern Bengal?—I

do not think so, because under the old system nomination was combined with competition, and generally the nominees were representatives of important communities.

11801. But there is the danger in a competitive examination of all the successful candidates being drawn from one part of the province?—Then the Governor in Council is supposed to redress that inequality by a judicious exercise of his power of nomination.

11802. That depends upon how far you would go in the case of inequality?—That is so.

11803. (*Mr. Mukharji.*) In reply to question (39), you say, "Such officers cannot be employed under the rules in all branches of the administration." Do you mean Provincial Civil Service men?—Yes.

11804. In question (19) of the Provincial Civil service Section, you go on to amplify it. Are these to be read as complementary to each other?—Yes. They cannot even hold the post of Registrar of Co-operative Credit Societies.

11805. In answer to that question you say that the Provincial Civil Service just now is regarded as a *pariah* service; what is your reason for saying that?—There is a distinct brand of inferiority on the Provincial officers.

11806. Are you not using rather too strong an expression there?—That is an expression that was used previously, and so I copied it. I do not think it is a very strong expression. Everybody understands what is meant by that.

11807. Referring to your answers to question (2) and (6), with regard to nomination and open competition for the Provincial Civil Service, I will hand you a list which will show that, between the years 1884 and 1904, when the competition system was in force, out of something like 267, only a portion of the appointments was filled by competition, and the rest by nomination? (*List handed to witness.*)—I see.

11808. Would you have that system?—Yes, I have suggested that system.

11809. Not quite that, because you say all the appointments are to be competed for, and then the competition is to be tempered by nomination?—It is the same thing; you practically get nomination of the second batch of your officers.

11810. With reference to question (24), do you think that there should be two more grades, Rs. 900 and Rs. 1,000?—Yes.

11811. Do not you think that the appointments in the higher grades are very small just now?—They are very small.

11812. And you would like to raise them?—Yes, but I have not thought out the exact proportion.

11813. In answer to question (47), you say in (c), "District and Divisional Officers should not be supplied with confidential character books of officers of the Provincial Service serving under them." Have you correctly written what you say there?—I believe it is the impression that District and Divisional Officers are supplied with copies of confidential reports passed by other officers, and generally look up that list and form an opinion without giving the officers a chance.

11814. Is it not very necessary for them to know the character of the men who are working

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under them?—I think they ought to be able to know by experience.

11815. (*Mr. Sen.*) You say you fully approve of the present system of promoting officers of the Provincial Civil Service to listed posts, and that in your opinion they have proved as efficient as members of the Indian Civil Service?—Yes.

11816. One of the witnesses told us yesterday that officers of the Provincial Civil Service holding listed posts did not command as much influence and could not inspire as much respect as members of the Indian Civil Service?—I distinctly think they command more influence and more prestige than the Indian members of the Indian Civil Service.

11817. I take it that, in your opinion, District Judges and District Magistrates appointed from the Provincial Service are held in the highest esteem by their countrymen?—Yes, undoubtedly.

11818. In your answer to question (30), you say you approve of the arrangement by which two-thirds of the pay is drawn?—Yes.

11819. You say, "But full two-thirds should be given, but not 64 per cent." What is the pay of a third-grade Magistrate of the Provincial Civil Service? Is it not Rs. 1,000?—Yes.

11820. What is the pay of a third-grade Magistrate recruited from the Indian Civil

Service?—Really two-thirds, but, in some case it is 64 per cent.

11821. What is the pay of a second-grade Magistrate? Is it not Rs. 1,200?—Yes, and the first-grade, Rs. 1,600.

11822. What is the pay of the first-grade Magistrate of the Indian Civil Service?—Rupees 2,250.

11823. That is more than two-thirds?—Yes.

11824. Take the case of the Provincial Service Judges. What is the pay of a third-grade District Judge; is it not Rs. 1,200?—Yes.

11825. What is the pay of a second-grade District Judge?—It is less than Rs. 2,000.

11826. If you look at the Civil List you will see that, so far as the Executive Service is concerned, there is not much grievance; that the only grievance is in the Provincial Judicial Service. Do you admit that?—I have not heard it suggested to me as a grievance.

11827. According to what you say, they should have exactly two-thirds?—I think that is only fair.

11828. So far as your Service is concerned, there is no grievance; but so far as the Provincial Judicial Service is concerned, there is a grievance. If my view is accepted, it is a grievance?—That is so.

(The witness withdrew.)

NICHOLAS DODD BEATSON-BELL, Esq., I.C.S., Commissioner of the Dacca Division.

Written answers relating to the Indian Civil Service.

11829. (1) What is your experience of the working of the present system of recruitment by open competitive examination for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—It is by no means an ideal system, but I do not know of any alternative system which is not open to serious objections.

11830. (2) In what respects, if any, do you find the present system faulty in detail, and what alterations would you suggest?—While I would retain the present system in its general aspect, I would like to see something analogous to the "King's Indian Cadets" for the Indian Army. A proportion (say 10 or 20 per cent.) of the vacancies might be reserved for cadets nominated by the Secretary of State. Those cadets would be the sons of officers who had served Government either in a civil or in a military capacity in India. Those cadetships would be open not only to Europeans but also to "Natives of India." The sons of Indian gentlemen who had served Government in an honorary capacity would also be eligible for cadetships. The Secretary of State would determine from time to time the proportion of cadetships to be allotted to "Natives of India." In the matter of cadetships for the Indian Army there is now an automatic system which practically excludes the element of jobbery. A somewhat similar system would be devised for the proposed cadetships for the Indian Civil Service. The cadets would be required to pass a qualifying examination; a high standard should of course be fixed.

11831. (3) Is the system equally suitable for the admission of "Natives of India" and of

other natural-born subjects of His Majesty? If not, what alteration do you recommend?—The system is less suitable for the admission of Natives of India than for that of other natural-born subjects of His Majesty. It tends to the exclusion of the more manly races, and also of the Muhammadans. This objection would be modified if cadetships were introduced as proposed in my answer to question (2).

11832. (4) Further, is any differentiation desirable between other classes of natural-born subjects of His Majesty? If so, what do you propose?—There is a good deal to be said for taking reprisals against Colonies which exclude British Indians, or which treat them badly after admission; but, on the whole, I think it is better that the Government of India should maintain the true Imperial attitude.

11833. (5) Do you consider that the combination of the open competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Service is or is not to the advantage of Indian interests? Please give your reasons?—I see no objection to a combination of the examinations for the Indian Civil Service and the Colonial Civil Service; but I think that the examination for the Home Civil Service should be kept apart. Both in regard to the work and to the qualifications required, the Indian Civil Service and the Colonial Civil Service are *ejusdem generis*; but the Home Civil Service is not.

11834. (6) If you do not consider the present system of recruitment by an open competitive examination to be satisfactory in principle, please state what alternative you would propose. Do you recommend a system based on any of the following principles:—(a) Selection

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by head masters of schools approved or otherwise; (b) selection by authorities in universities approved or otherwise; (c) nomination by head masters or university authorities and selection under the orders of the Secretary of State; (d) combined nomination and examination; (e) any other method?—System (a) would produce on the whole better men than those produced under the present system. In fact, as regards the quality of the product, it would be the best of all systems. But the difficulty in making lists of approved schools would be so great that I reluctantly recommend the continuation of the present system. On paper it would be easier to prepare a system of "University Selection" than a system of "School Selection," but the quality of the product would not, I think, be superior to that of the present system, and accusations of jobbery would surely arise. I fear that such accusations would not always be groundless. Less reliance could be placed upon university authorities than upon head masters of schools.

11835. (7) What is your opinion regarding a system of simultaneous examination in India and in England, open in both cases to all natural-born subjects of His Majesty?—I am not in favour of "simultaneous examinations."

11836. (8) Are you in favour of holding this examination simultaneously at any other centre or centres within His Majesty's Dominions?—No. There should be only one examination to be held at the capital of the Empire.

11837. (9) What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service cadre by "Natives of India" recruited by means of a separate examination in India or by means of separate examinations in each province or group of provinces in India? If so, what proportion do you recommend?—I am not in favour of "separate examinations."

11838. (10) If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which "Natives of India" would be selected in India for admission to the Indian Civil Service by means of (a) nomination; (b) combined nomination and examination; or (c) any other method? If so, please describe fully what system you would recommend. In particular, do you consider it desirable that, whatever the system, all classes and communities should be represented? If so, how would you give effect to this principle?—Please see my answer to question (2), where I have advocated a system of "cadetships". In the cadetships awarded to natives of India it is most desirable that all classes and communities should be represented; particularly those of the manly races and the Muhammadans. The sons of "Native officers" in the Indian Army deserve special recognition.

11839. (11) If you are in favour of a system for the part recruitment of the Indian Civil Service by "Natives of India" in India, do you consider that "Natives of India" should still be eligible for appointment in England, or would you restrict that right to other natural-born subjects of His Majesty?—If a system of cadetships, such as I have outlined, were introduced, it should not affect the rights of natives of India in

respect of the open competitive examination. In the case of other systems, a restriction of these rights might be a necessary corollary.

11840. (12) Would you regard any system of selection in India which you may recommend for young men who are "Natives of India," as being in lieu of, or as supplementary to, the present system of promoting to listed posts officers of the Provincial Civil Services? If the former, what alteration, if any, would you recommend in the conditions governing the Provincial Civil Services?—Supplementary.

11841. (13) Do you recommend any separate method of recruitment for the Judicial Branch of the Indian Civil Service? If so, please describe the system that you would propose?—I recommend no separate method of recruitment.

11842. (14) Are you satisfied with the present definition of the term "Natives of India" in section 6 of the Government of India Act, 1870 (33 Viet., c. 3), as including "any person born and domiciled within the Dominions of His Majesty in India, of parents habitually resident in India, and not established there for temporary purposes only," irrespective of whether such persons are of unmixed Indian descent, or of mixed European and Indian descent, or of unmixed European descent? If not, please state fully any proposals that you wish to make in regard to this matter?—I make no proposal.

11843. (15) If the system of recruitment by open competitive examination in England is retained, please state the age-limits that you recommend for candidates at such examination, giving your full reasons. Do you consider that the age-limits should be fixed to attract candidates of the normal school-leaving age in England, or candidates who have completed a university course, or candidates at an intermediate stage of education?—I consider that the age-limits should be fixed to attract candidates of the normal school-leaving age in Britain (17—19); otherwise the sons of parents who cannot afford the expenses of a university are practically excluded. Moreover, a probation of three years is most desirable. This is impossible when the age-limit is high. (P.S.—If the age-limit be high, probationers are apt to come out married or engaged, which is most undesirable.)

11844. (16) What is your experience of the relative merits of the candidates selected under varying age-limits, particularly under the systems in force from 1878 to 1891 (age-limits 17—19 years, followed by two or three years' probation at an approved university) and since 1891 (age-limits 21—23 or 22—24 years, followed by one year's probation)?—Good, bad and indifferent officers have come out under both systems. The general education of the later batches is superior to that of the earlier batches, but the special education of the earlier batches, particularly of those who went through a three years' probation, was much better. The earlier batches were more disposed to look at things from an Indian standpoint.

11845. (17) What is your opinion regarding the suitability of the recent recruits to the Indian Civil Service?—Fairly good, subject to what I have written under question (16).

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11846. (18) What is the most suitable age at which junior Civilians should arrive in India?—About 22 or 23.

11847. (19) What age-limits for the open competitive examination in England would best suit candidates who are "Natives of India," and for what reasons? Do you recommend any differentiation between the age-limits for "Natives of India" and for other natural-born subjects of His Majesty?—On the whole I think Indian parents would prefer 17–19 as the age-limit, chiefly on the ground of expense. From the point of view of formation of character, an early age-limit is also desirable in the case of Indian candidates. I recommend the same age-limit (17–19) for all candidates.

11848. (20) On what principle should the subjects for the open competitive examination be fixed? Do you accept the principle laid down by Lord Macaulay's Committee in 1854 and since followed, that "the examination should be of such a nature that no candidate who may fail shall, to whatever calling he may devote himself, have any reason to regret the time and labour which he had spent in preparing himself to be examined," and that the object should be to secure, not specialists in any particular subject that may be useful in a subsequent Indian career, but the ordinary well-educated young man of the period?—I have nothing to add to the remarks of Lord Macaulay.

11849. (21) Please examine the table in Appendix I to these questions, which shows the various phases of the authorized syllabus of the open competitive examination, and state what changes, if any, are, in your opinion, desirable, differentiating between the cases of candidates (a) of school-leaving age and (b) of university-leaving age?—As regards the open examination, when I entered the Service (1886), my chief criticism would be—(i) English Composition; English History and English Literature were marked too low; (ii) Italian and Political Economy were regarded as "orram subjects," i.e., subjects in which marks could be obtained after a few months' study; (iii) the marks for Sanskrit and Arabic were too low compared with those for Greek and Latin. I have no personal experience of the present open examination, but I sometimes hear it said that it favours Oxford at the expense of Cambridge. The low marks for Sanskrit and Arabic are also open to criticism, as in the former rules.

11850. (22) Is any differentiation in the subjects for the examination desirable between candidates who are "Natives of India" and other candidates?—My answer is in the negative.

11851. (23) Do you consider it necessary that certain posts should be reserved by Statute for officers recruited to the Indian Civil Service and, if so, what posts and for what reasons? Please state in detail what alterations (if any) you recommend in the Schedule of the Indian Civil Service Act of 1861 (24 and 25 Vict., c. 54). [Attention is invited to the provisions of the Indian Civil Service Act, 1861 (24 and 25 Vict., c. 54) and of the Government of India Act, 1870 (33 Vict., c. 3), reproduced as Appendices II and III to these questions?—My answer is in the affirmative. The Indian Civil Service must have

reasonable security against the appointment of outsiders, either from home or from India. Without such security it will be impossible to attract good candidates. I do not recommend any alteration in the Schedule of 1861, particularly as such alteration could not be effected without legislation.

11852. (24) Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the Civil Administration? If so, to what proportion of the posts included in the Indian Civil Service cadre do you consider that "Natives of India" might, under present conditions, properly be admitted?—There should not, I think, be any statutory regulation on this subject.

11853. (25) Do you accept as generally satisfactory in principle the present system under which "Natives of India" are recruited partly through the medium of an open competitive examination in England, and partly by special arrangement in India, in accordance either with rules framed under the provisions of section 6 of the Government of India Act, 1870 (33 Vict., c. 3), or with the provisions of the Indian Civil Service Act, 1861 (24 and 25 Vict., c. 54)? Do you recommend any alterations in this system and, if so, what?—It is probably right that Natives of India should have a double door. I am inclined to think, however, that the door opened by the Act of 1870 is too wide and is hardly fair to the Indians who have gone to the trouble and expense of passing the Indian Civil Service examination. I do not, however, advocate any legislation for the modification of the Act of 1870.

11854. (28) Do you consider that the old system of appointment of "Statutory Civilians" under the Statute of 1870 should be revived and, if so, what method of recruitment would you recommend?—The system was not a success in Bengal, and I do not advocate its revival. The Notification of 26th August 1910 leaves a sufficiently wide discretion to the Local Government.

11855. (29) What experience have you had of military or other officers who have been specially recruited in India to fill Indian Civil Service posts, and how many such officers are employed in your province? Please distinguish in your reply between (a) military officers and (b) others, and give details of the latter?—I served in Eastern Bengal and Assam from 1905 to 1912 and came into constant contact with the military officers of the Assam Commission. I was Director of Land Records for the greater part of the period in question and I toured in all the districts of the plains.

11856. (30) Have such officers proved on the average as efficient as members of the Indian Civil Service filling posts of similar responsibility? Has it been possible and expedient to employ them in all branches of the Administration, whether on executive or judicial duties?—My answer to the first question is decidedly in the affirmative. The most marked characteristic of the military officers with whom I came into contact was their sympathy towards all classes of the people. They were generally employed on executive duties. I understand that the Calcutta High Court was somewhat averse to their employment as District Judges. I know of at

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least one such officer who was anxious to be a Judge, and who would, I think, have done well in the post.

11857. (31) If the system of recruiting military officers in India has been stopped, or has never existed in your province, would you advise its reintroduction or introduction, as the case may be and, if the system should be introduced or reintroduced, to what extent should it be adopted?—The introduction of the system into Bongal is not practicable. I am no longer connected with Assam, and I therefore refrain from making any recommendation about recruitment in that province.

11858. (35) To what extent during the last five years have listed posts been filled (a) by members of the Provincial Civil Service; and (b) by other "Natives of India"?—Please give the names and positions of the latter, if any?—I am not aware of any cases of (b), except the old class of "Statutory Civilians." Detailed information is in the Secretariat.

11859. (36) Has the power to fill one-quarter of the listed posts with "Natives of India" other than members of the Provincial Civil Service or Statutory Civilians been ordinarily and regularly exercised? If not, can you give the reasons for this, and do you think it advisable that the power should be utilized and, if so, in what directions?—*Vide* answer to last question. I do not think that any Local Government should be pressed to make use of this power, especially as it can only be used to the detriment of the Provincial Civil Service.

11860. (37) Does the system by which most of the inferior listed posts are merged in the Provincial Civil Service give satisfaction (a) to the members of the Provincial Civil Service and (b) to the public interested in this question, and what advantages, if any, does this arrangement possess?—I find that the officers of the Provincial Civil Service dislike the system, because no one knows until the time comes for selection as a district officer whether he is holding a listed appointment or an ordinary appointment. No one is given a special designation or treated in a special manner. No one is therefore put on his mettle to show specially good work in the earlier days of his service. I have had no discussion on this subject with members of the general public. I am not aware of the advantages, if any, which the arrangement possesses.

11861. (38) Is the class of posts listed suitable? If not, in what directions would you suggest any changes and why?—The present list is open to criticism, but I do not at present recommend any change.

11862. (39) Have the officers of the Provincial Civil Service, selected to fill listed posts, proved on the average as efficient as members of the Indian Civil Service filling posts of similar responsibility, and has it been found possible and expedient to employ them in all branches of the Administration?—A fair comparison is with the Indian members of the Indian Civil Service. The selected officers of the Provincial Civil Service are, I think, inferior, both in mental calibre and in administrative resource, to the Indian members of the Indian Civil Service. The difference is such as might have been expected from the difference in training and experience. It must also be

remembered that officers of the Provincial Civil Service have seldom been selected for "listed posts" until they are advanced in years.

11863. (41) Are there any other ways in which "Natives of India" are appointed in your province to Civil Service posts? If so, please give details of the same?—I only know of (i) the old Statutory Civilians and (ii) the members of the Provincial Civil Service selected for "listed" posts.

11864. (43) What is your experience of the results of the existing system under which successful candidates in the open competitive examination are required to undergo a probationer's course of instruction in England? Do you recommend the continuance or abolition of this system?—The period of probation in my time was most useful to us all. It extended to two or three years. I have asked many junior officers their opinion regarding the present probation of one year. I have never met one officer who regarded the period as useful.

11865. (44) What should be the duration of the probationer's course in England (a) under the present system of the open competitive examination, and (b) under any modification of that system recommended by you?—(a) If the present age-limit be maintained, the period of probation should be abolished. (b) If a reversion be made to the age-limit of 17–19, there should be a probation of three years.

11866. (45) Do you consider it desirable that probationers should be required to spend their period of probation in England at an approved university?—Yes, in Britain; not in England.

11867. (46) If so, do you advise the selection of one or more universities for this purpose and for what reasons?—The bulk of the probationers will, as a matter of fact, gravitate towards Oxford and Cambridge; but it should be open to them to go to any of the older universities in Great Britain, provided that there is an adequate staff for teaching the special course. Subject to this condition, it would be invidious to draw distinctions.

11868. (47) Do you consider that probationers should receive allowances during their period of probation? If so, please give the scale and conditions that you recommend?—Yes; I suggest £200 per annum, and a first-class passage to India. The allowance should be paid in instalments at the close of each term, with an initial payment for preliminary expenses. Payments should be subject to good conduct and good progress in study.

11869. (48) If you do not advise attendance at an approved university during the period of probation in England, what alternative course of study do you recommend? (49) Would it, in your opinion, be desirable to establish a separate institution in England for this purpose and, if so, under what conditions?—[(48 and 49)] No.

11870. (50) If a probationer's course is continued in England, do you accept the principle laid down by Lord Macaulay's Committee in 1854, that successful candidates in the open competition should be considered as having finished their general education and that their future studies should be such as have a special tendency to fit them for their calling? Does your answer

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apply equally to candidates who pass the open competitive examination after leaving school and to those who do so after completing a university course?—I agree with Lord Macaulay; but I have already stated that, if the present age-limit for the open competition be maintained, the probationary period should be abolished.

11871. (51) Please examine the statement printed as Appendix VI to these questions, showing the courses of studies prescribed for probationers in 1891 and 1912, and state what alterations (if any) you desire to recommend in the present course (a) under the existing system of the open competitive examination and (b) under any modification of that system recommended by you?—The course prescribed in 1891 was generally admirable, but a classical language should be compulsory; also I would make it compulsory to remain for three years and to take a degree with honours either in Oriental languages or in law. The course now prescribed is universally regarded as useless; not because of its intrinsic defects, but because one year is too short for any useful purpose, and the probationers are too old to spare more than one year.

11872. (52) In particular, please state your opinion as to the desirability during the period of probation of (i) compulsory attendance at Law Courts in England and reporting of cases; (ii) the teaching of Indian Law in addition to the general principles of Jurisprudence; (iii) the teaching of the grammar and text-books of Indian languages with or without any attempt at colloquial instruction; (iv) the teaching of (a) Indian Geography, (b) Political Economy, and (c) Accounts?—(i) I strongly approve, (ii) I strongly approve, (iii) this is essential, but colloquial instruction should be omitted, (iv) I approve of (a) and (d), but would omit (c).

11873. (53) Do you consider that the probationer's course of instruction can best be spent in England or in India?—In Britain.

11874. (54). What is your opinion of a proposal to start at some suitable place in India a college for the training of probationers of the Indian Civil Service and possibly of other Indian Services recruited in England?—I prefer the universities.

11875. (55) What is your opinion of a proposal that each provincial Government should arrange for the training of probationers by suitable courses of instruction for the whole or portions of the first two years of service at some suitable centre?—If (what I hope will not be the case) the present age-limit be maintained, and if (what I fear is a necessary corollary) the probationary period at a British university be abolished, then it will be necessary to train the probationers in India. I do not, however, recommend that this should be done at "centres." Each Collector should see to the training of his own assistants until the time comes for deputing them on "Survey and Settlement training camp."

11876. (56) In the report of the Treasury Committee appointed to consider the organization of Oriental studies in London, 1909, the view is taken that the preliminary training in Oriental languages and in law required by probationers can be given better in England than in India, because of the difficulties which junior Civilians would experience in learning

these subjects in India, the lack of good teachers in Indian district headquarters, the difficulty of even good Indian teachers appreciating the European student's point of view, and the difficulty of arduous study in a tropical climate. Do you consider that these objections could be met by a suitable scheme of instruction in India?—I agree with the Treasury Committee. No scheme for instruction in India can be as satisfactory as a scheme for instruction at a British university, provided that the instruction at the British university is long enough.

11877. (57) If you have recommended the introduction of any scheme of direct recruitment in India for "Natives of India," whether in lieu of, or supplementary to, the system of recruitment in England, please state what system of probation you recommend for such officers.—In my answers to questions (2) and (10), I have advocated "cadetships" both for Europeans and Indians. In the case of Europeans, the cadetships should be awarded, as is done in the Army, at the time of the open competition. In the case of Indians, the cadetships should be awarded about the age of fourteen. The Indian cadets should receive scholarships and should be sent to British public schools. The best Indian members of the Indian Civil Service are undoubtedly those who have been to British public schools. It would, I fear, be impracticable to make it a necessary condition that all Indians who appear at the open examination should have been at British public schools, but it is not desirable to do so in the case of the cadets. Moreover, if cadetships were allotted to Indians just before the open examination, it would be difficult to find young men of the manly races with sufficient education to pass the qualifying test. Many desirable candidates would inevitably be passed over. After the open examination (in the case of cadets, the qualifying examination) I would have a uniform course of training for all probationers, except perhaps in regard to Indian languages [vide question (59).]

11878. (58) In particular, if a period of probation is recommended for such officers, do you advise that it should be passed in England or in India?—In Britain.

11879. (59) Do you consider that any differentiation is necessary during the period of probation between the course of study for probationers who are "Natives of India" and the course prescribed for other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend?—There is no point in teaching his own vernacular to an Indian youth (unless he has left home so young that he has forgotten it), nor is it advisable that an Indian youth who has already a good knowledge of Sanskrit or Arabic should be placed in a class along with beginners. In such cases, the Indian might take up European languages, ancient or modern, which he did not take up at the open examination. It is a rather difficult question, and I cannot speak from personal experience. There were no Indians in my year. Apart from the question of Oriental languages, the course of study should be the same for all probationers.

11880. (60) Are you satisfied with the present arrangements for the training of junior members of the Indian Civil Service after they have taken up their appointments in India? If

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not, what change should, in your opinion, be introduced?—The present arrangements in this province are:—(i) Personal instruction and advice by the Collector; (ii) the departmental examinations and study for the same; (iii) a cold weather spent in Survey and Settlement training. (i) Naturally depends much on the Collector. (ii) Is dealt with in question (61). (iii) Is of the utmost value.

11881. (61) Is the existing system of departmental examinations suitable and, if not, what change do you recommend?—I have little belief in the value of those examinations. They are most vexatious to the officers concerned, who are already quite sick of examinations. Moreover, when there was an adequate course of probation at home, both in law and in Oriental languages, the examinations in India were quite superfluous. An officer who desired to be an efficient servant of Government could have been trusted to read the local laws and to improve his colloquial knowledge of the vernacular. An officer who had no such desire would obtain no real benefit from the departmental examinations. The inadequacy of the present course of special training at home gives some *raison d'être* to the departmental examinations, and if such course were abolished the *raison d'être* would be stronger. Even then, I would prefer to leave the initial training in the hands of the Collector and to rely on his personal certificate. The selection of the Collectors who are to receive young Civilians would then become even more important than before.

11882. (62) Do you consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service? If so, what are the causes? Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages and, if not, how could this best be remedied?—On the whole there has been such deterioration. It is due to the inadequate course of probation at home. If the European members of the Indian Civil Service are thoroughly grounded in Oriental languages at home, all those who have a taste for languages will attain adequate proficiency after coming to India.

11883. (63) Do you recommend any changes in the rules for the encouragement of the study of the Oriental languages and, if so, what changes?—I have always regarded the whole system of language rewards as a somewhat degrading kind of "pot hunting." Increased facility in work and increased knowledge of the people are sufficient rewards for any conscientious officer, and I see no reason for catering for officers of another kind.

11884. (64) Please give your views as to what steps (if any) are necessary to improve the proficiency in the knowledge of law of members of the Indian Civil Service, distinguishing between recommendations applicable to all officers and to officers selected for the Judicial Branch. In particular, do you favour a system of granting study-leave to Europe and, if so, what course of study (course for a call to the Bar, reading in barristers' chambers or other), and what conditions do you propose?—I have already recommended [question (51)] that each probationer should take an Honours degree either in law or

in Oriental languages. I also recommend that each probationer should join the English, Scots, or Irish Bar. This will be practicable during the probationary period for those who decide to take their degree in law. As regards those who decide to graduate in Oriental languages, they might be allowed to postpone the joining of the Bar until their first furlough. The fees should be advanced by Government, to be afterwards deducted in easy instalments from the pay of the officer concerned. I do not think that any course of legal study, short of a full call to the Bar, would be adequate. I would make no distinction between different branches of the Service. In modern times a good knowledge of law is almost as important to a Revenue officer as to a Judge. The question of status in the eyes of the local Bar is also of much importance.

11885. (65) Do you recommend any special course of study in law in India for officers selected for the Judicial Branch?—No, if my other recommendations, or something similar, be adopted.

11886. (66) Do you recommend any special training in subordinate judicial post- for officers selected for the Judicial Branch? If so, please give details?—If possible, all Civilians should act as Sub-Judges for at least one year before confirmation either as Collectors or District Judges. In both cases, the experience would be of the utmost value. Civilians should have at least six years' service before they are deputed to act as Sub-Judges. I need hardly say that with the cadre at its present strength I fully recognize the difficulty of arranging for the proposed deputation.

11887. (67) Do you recommend any system for encouraging the higher study of law analogous to the rules for the encouragement of the study of Oriental languages?—No.

11888. (68). Is any differentiation desirable in the system of training after appointment in India between members of the Indian Civil Service who are "Natives of India" and other natural-born subjects of His Majesty? If so, please state your proposals?—No, except in the study of Indian languages and the examinations (if any) in the same.

11889. (69) If you have recommended the introduction of any scheme of direct recruitment in India for "Natives of India," whether in lieu of, or supplementary to, the system of recruitment in England, please state what system of training you recommend for such officers?—In the system which I recommend the officers recruited as "cadets" and the officers recruited by pure competition would be on exactly the same footing both in the preliminary training at home and the subsequent training in India. The distinction in the matter of language-study and language-examination would be between Indians and non-Indians, rather than between cadets and non-cadets.

11890. (70) Is any differentiation necessary in regard to the probation and training of members of the Indian Civil Service who are "Natives of India" as between persons of unmixed Indian descent, of mixed European and Indian descent, and of unmixed European descent? If so, please state your proposals?—Those who are not pure Indians should be treated in the matter

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of language-study and language-examination exactly as pure Europeans.

11891. (72) The present theory underlying the conditions of service in the Indian Civil Service is that (a) the members of the Service should have sufficient training in subordinate or inferior appointments before they are called upon to discharge the duties of higher ones; and (b) that they should, throughout the whole period of their service, have sufficient salaries and sufficiently responsible duties. To secure these objects, the number of posts, called technically "superior" posts, carrying a salary of over Rs. 1,000 per mensem, is ascertained, and it is endeavoured to recruit only sufficient officers to make it probable that each officer will find himself officiating with practical permanency in at least the lowest of those appointments after the completion of eight years' service. Do you accept this system? If so, do you consider that the period of eight years is suitable, or do you recommend any change? What alteration (if any) would be necessary if the age of recruitment were lowered?—On the whole, I accept the system and the standard of eight years. If the age for recruitment be reduced to 17—19, and the period of probation be extended to three years, no alteration seems necessary.

11892. (73) It is also part of the existing system that officers of over two but under eight years' completed service should fill with practical permanency in the ordinary course of promotion charges of minor responsibility, called technically "inferior" posts, and should be drawing pay at rates above that of the lowest grade, but not exceeding Rs. 1,000 per mensem. Do you accept this as a suitable arrangement? If not, what alteration would you suggest, and for what reasons?—On the whole I accept this.

11893. (81) Junior officers are considered to be under training during the first two years of their service. Does this approximate to the actual conditions? If not, what alteration is necessary in the percentage of 15.5 allowed for training?—Many officers are now placed in charge of subdivisions after 1½ year's service, or even less. Personally, I was placed in charge of a subdivision after seven months' service. I held it for several months. I was placed in permanent charge of another subdivision when I had a total service of 15 months. I held it till I began to act as Collector, my total service being then about 3½ years.

11894. (85) Do you consider that the present system of a quinquennial examination of the conditions of service is adequate to regulate the rate of recruitment and flow of promotion? If not, what alterations do you recommend?—It is probably an adequate system, but the members of the Service should be informed when the examination is about to take place. A formal notification should be published in the local gazette and representations should be invited.

11895. (87) Are you satisfied that, under the existing system of promotion, the interests of individual officers and of the Administration are duly reconciled, and have you any suggestions to make regarding it, particularly on the subjects of selection for higher appointments and of the compulsory retirement of inefficient officers?—I am in favour, as far as possible, of promotion

by seniority. I would not pass over an officer unless he is really bad. The idea of "compulsory retirement" has always struck me as dangerous. I have cases in my mind, but prefer to mention no names, in which the general feeling of the Service is that senior men have been unnecessarily superseded by juniors.

11896. (88) To what extent are the functions of the officers of the Executive and Judicial Branches of the Indian Civil Service differentiated? Is any change desirable and, if so, in what directions?—The case can be fully stated by the Secretariat. At present the officers of the Judicial Branch of the Indian Civil Service perform purely judicial functions, while the officers of the Executive Branch sometimes perform both executive functions and judicial functions. On the more or less academic question as to whether this is right or wrong I have no remarks to offer. It is not a burning question in the mufassal. Not one man in a thousand knows that there is such a question.

11897. (89) Have you any other suggestions to make under this head which are not covered by your answers to the above questions and to the questions under the heads relating to salary, leave and pension?—There is a great deal to be said for the old system under which promotion was from Collector to Judge and from Judge to Commissioner.

11898. (93) If any dissatisfaction is felt, does it relate to the pay or grading of the higher or lower posts, or to both?—I think the people about the middle of the cadre* express most dissatisfaction with their pay.

11899. (94) Do you consider it desirable that there should be uniformity of payment for similar kinds of work in all the provinces, and does any dissatisfaction on this score exist in your province and, if so, what?—I consider it desirable that there should be such uniformity as far as possible, but I do not remember to have heard much dissatisfaction on this score either in Bengal or in Eastern Bengal and Assam.

11900. (95) Do you consider that the exchange compensation allowance introduced in 1893, eligibility for which depends on nationality or domicile, should be abolished and, if so, under what conditions? Should such abolition apply to officers already employed or be restricted to future entrants?—For simplicity of accounts, it should be retained but should be merged in the pay. Future entrants should obtain the benefit.

11901. (96) If abolition is recommended with compensation in the form of increased salaries, what is your opinion regarding the grant of a similar increase of salary to those members of the Service who now draw no exchange compensation allowance?—I would grant the increase to all members of the Indian Civil Service.

11902. (99) What is your opinion regarding the substitution for the existing graded system of promotion of a time-scale of salary? If you are in favour of a time-scale, should it be restricted to the lower grades of the Service or not?—I reserve my opinion. There is a demand for a time-scale in the Punjab, but I have seldom heard the question discussed in this province, so far as the Indian Civil Service is concerned.

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11903. (101) What is your experience of the practical working of time-scales of pay in other Indian Services?—I know that certain Departments (*e.g.*, the Survey Department) have now a time-scale. My general impression is that the officers concerned prefer this system to the pre-existing system; but beyond this I can offer no remarks. I have not studied the question either in my own Service or in other Services.

11904. (104) Turning now to the case of the Statutory Civilians and officers of the Provincial Civil Services holding listed posts, do you approve of the arrangement by which they draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rate do you suggest for the various grades of the Service?—I would give them the same salary as members of the Indian Civil Service. Every labourer is worthy of his hire.

11905. (107) Is all the leave on full pay due to them ordinarily taken by officers of the Indian Civil Service and, if not, what are the reasons? Is the amount which can be earned in your opinion suitable? If not, what alternative arrangement do you suggest?—As privilege leave can now be combined with furlough, it is taken sooner or later. But the rule, by which an officer ceases to earn privilege leave after he has accumulated a maximum of three months, works hardly and should be abolished.

11906. (108) Is all the furlough due to them ordinarily taken by officers of the Indian Civil Service? Is it necessary to allow for as much furlough as is permissible by the present rules? If not, what change do you suggest?—As a general rule officers do not take all the furlough which is due to them. I would not, however, reduce the amount now permissible.

11907. (109) Do you consider that the rates of furlough allowances are suitable? If not, what changes do you recommend?—The rates are inadequate. I recommend that instead of "half his average salary" an officer should draw "two-thirds of his average salary." The increased cost should be distributed equally between the State and the members of the Service. I also recommend the abolition of the maximum of £1,000 per annum.

11908. (110) Do you recommend any change in the concession granted in 1893, under which leave allowances expressed in rupees, other than privilege leave allowances, issued at the Home Treasury, or in a Colony with a gold standard of currency, are issued in sterling at the privilege rate of exchange of 1s. 6d. the rupee? If so, what change?—I do not propose any change.

11909. (111) Do you consider that the maximum and minimum limits of leave allowances at present fixed are suitable? Do you recommend any change in the alternative rates fixed in sterling and in rupees and, if so, what change?—I would abolish the maximum, but retain the minimum of £500 per annum. When the furlough is paid in India (this seldom happens), the maximum should also be abolished and the minimum should be the equivalent of £500 per annum, *i.e.*, Rs. 625 per mensem.

11910. (114) In particular, are they a contributory cause of excessive transfers of officers of the Indian Civil Service and, if so, how can this

difficulty be met?—Officers serving in unpopular districts sometimes take leave in the hope that on the expiry of leave they will be transferred to better districts. I should like to see a system under which Collectors and Judges are posted to particular districts for at least five years. An officer who takes leave during this period should return automatically to the district concerned.

11911. (115) Do any of the present leave rules press hardly in any way on officers of the Indian Civil Service themselves and, if so, in what respects? What is, in your opinion, the appropriate remedy?—The restrictions regarding the intervals between leave are vexatious and should all be abolished. Provided that the officer has earned the leave applied for, it should be open to the Local Government to grant it, irrespective of the interval since the previous leave of any kind.

11912. (116) Do the present leave rules applicable to Statutory Civilians, or to officers of the Provincial Civil Services employed in listed posts, cause any inconvenience to the Administration, or press hardly on the officers themselves, and in what respects? In particular, do you consider that separate sets of rules for such officers and for officers of the Indian Civil Service are desirable?—I have not discussed the question with any of the officers concerned; but I should be inclined to place them on the same footing as members of the Indian Civil Service. The concession should take effect after confirmation in the Statutory or listed Service.

11913. (118) Is the present system of equal annuities to all members of the Indian Civil Service generally accepted as satisfactory by the Government and by the members of the Indian Civil Service?—Yes, but I think every one would like to see the annuities of Lieutenant-Governors raised by 50 per cent. compared with those of other members of the Service.

11914. (119) Would a non-contributory system of superannuation pensions, varying in amount with the amount of salary drawn at the time of retirement, be preferable in the interests either of the Government or of the members of the Indian Civil Service?—I think not.

11915. (120) Assuming the maintenance of the annuity system, do you suggest any modifications in its detailed working and, if so, what, and for what reasons?—Owing to the increased cost of living at home, I consider that the annuity of £1,000 is quite inadequate, particularly for married men. I am strongly of opinion that it should be raised to £1,500 per annum, the increased cost being distributed equally between Government and the members of the Service. I have refrained from recommending an increase in the working pay of the Service, because I consider that furlough, pay and pension are far more important. If an officer does his duty in India, it is practically impossible for him to save money. When he goes home he must therefore rely on his furlough pay or his pension, as the case may be. The actual value of these allowances is probably about one-half of what it was when the scales were fixed.

11916. (121) In particular, what is your opinion of the arrangement by which members of the Indian Civil Service, who are appointed Judges of High Courts, obtain special pensions of £1,200 a year after 11½ years' actual service as

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Judges? Do you recommend any change in the present conditions?—If the pension in the Service generally be raised to £1,500, there is no necessity for special rules in the case of High Court Judges. Moreover, I am not sure that it is to the advantage of the Administration that officers should be tempted to “hang on” in the hope of an increased pension.

11917. (122) Do you consider that a similar system should be applied to the cases of high Executive officers and, if so, to which? Please state the amount of pension and the conditions which you recommend as suitable?—See my answer to question (118). I would confine the special pensions to Lieutenant-Governors.

11918. (123) Assuming the substitution of a non-contributory system of superannuation pensions varying in amount with the amount of salary drawn at the time of retirement, please describe the system that you recommend?—I have not recommended such a system and I am not prepared to suggest details.

11919. (124) Do you recommend the introduction of a system of reduced pensions for such officers as may be found to be inefficient, but whom it would be difficult to retire without some provision for their subsistence? If so, what do you suggest?—I regard the system of “compulsory retirement for inefficiency” as dangerous; but if such a system is introduced, the pension should be on a scale not lower than that laid down for the time being, in respect of officers who retire early upon medical certificates.

11920. (125) Do you consider the existing pension rules suitable in the interests both of the Government and of the members of the Indian Civil Service? In particular, what is your opinion of the present rules regulating voluntary and compulsory retirement?—I approve of compulsory retirement, as at present, after 35 years' service. As regards voluntary retirement, I think that an officer should be allowed, as at present, to retire on full pension after 25 years' service. I do not, however, think that the “acceptance” of his resignation should be a necessary condition. It should be a matter of right. On the other hand, I think that all officers should be allowed to retire at any period between 10 and 25 years' service on a reduced pension. No medical certificate should be necessary, but an officer retiring *without* a medical certificate should draw a lower pension than one retiring *with* a medical certificate. The pension in one case should be about two-thirds of the pension in the other case. When an officer wants to retire prematurely *without* a medical certificate, it should be open to Government to accept or to reject his resignation. As a matter of policy, such resignations should, I think, generally be accepted. It is not to the interest of India that officers should be retained whose hearts are not in their work.

11921. (127) Do you approve of the present system regulating the pensions of Statutory Civilians? If not, what do you suggest?—In my answers to earlier questions I have recommended that officers in the Statutory Service should enjoy the same pay and leave rules as members of the Indian Civil Service. I recognise, however, that the matter of pension is on another footing. I am not prepared to criticise the present

special rules (article 566 of the Civil Service Regulations), which determine the pensions of these officers.

11922. (128) Do you approve of the present system regulating the pensions of officers of the Provincial Civil Services holding listed posts? If not, what do you suggest?—My remarks in the last answer apply, *mutatis mutandis*, to the case of the Provincial officers who hold “listed” posts. I take it that article 566 of the Civil Service Regulations does not apply to these officers.

11923. (129) Do you accept as satisfactory the regulations of the Indian Family Pension Fund, or have you any suggestions to make either for their abolition or for their alteration? Have you any proposals to make in regard to the present methods of working such regulations?—If possible, the pension of the widow of an Indian Civilian should be raised from £300 to £500 per annum. It might perhaps be optional with an officer to declare at the time of marriage for the higher or lower scale of pension for his widow. His contributions to the fund would be regulated accordingly. Provision might be made for an officer raising the pension of his widow from the lower to the higher scale.

11924. (130) In particular, do you approve of the exclusion from their benefits of “Natives of India,” who are members of the Indian Civil Service? If not, under what conditions would you admit them, having regard to the main differences between their social conditions and those of the European members on which the present system is based?—I see no valid reason for the exclusion of “Natives of India.” Such officers are rarely, if ever, polygamous; but special rules could easily be framed to meet such cases.

11925. (131) Do you recommend that such admission should be optional or compulsory?—Optional.

Written answers relating to the Provincial Civil Service.

11926. (1) Please refer to Government of India Resolution No. 1046—1058, dated the 19th August 1910, defining the general conditions which should govern recruitment to the Provincial Civil Service, and reproduced as Appendix A. Are these conditions suitable, or have you any recommendations to make for their alteration?—The conditions are generally suitable. They leave a wide discretion with the Local Government.

11927. (6) What is your experience of the officers selected by the different methods of recruitment, which method has proved the most satisfactory, and what changes, if any, in the present system of recruitment do you recommend? For direct recruitment do you recommend (a) open competition, (b) nomination, (c) combined nomination and examination, or (d) some other method? Please describe fully the system that you recommend?—Apart from promotions, the present system is one of pure nomination (*vide* Bengal* Rules of 20th August 1912). There is a widespread opinion which, on the whole, I am inclined to endorse, that the officers now selected

* *Vide* p. 322.

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by nomination are intellectually of a lower calibre than those formerly selected by open competition. In view of the political state of the country I do not, however, advocate a reversion to pure competition for any of the vacancies. In the first place, the most important reform which I advocate is the amalgamation of the Subordinate Executive Service with the Provincial Civil Service. Taken as a body, there is very little difference between the two Services in the matter of the qualification of the recruits. In fact, those entering the Subordinate Executive Service are often superior to those entering the Provincial Civil Service. It is most galling to a man to see another man, whom he has surpassed at the university, placed at once in a position to which he himself can only attain after many years of drudgery. The two Services should be amalgamated, the lowest grade being placed at Rs. 200 per mensem. The total annual vacancies would then be 22. I would fill up the vacancies as follow:—

| | |
|--|----|
| Open competition among candidates nominated by District Officers | 9 |
| Promotions from other Services (Settlement Kanungos, etc.) | 8 |
| Governor's cadetships | 5 |
| Total | 22 |

The qualifications for the District Officers' nominees should be those contained in the present rule 8. I would not restrict (at least in the first instance) the number of nominations to be made by each District Officer. Further, I would reintroduce the E.B. & A. rule by which a District Officer can nominate a candidate who has accepted a temporary post under Government in preference to sitting idle while waiting for an appointment in the Provincial Civil Service. This was a most salutary rule, introduced at my suggestion, and I do not know why it has dropped out from the Bengal rules. In the open competition; places should be reserved for different races and religions, probably also for different divisions. The cadetships would be analogous to those which I have advocated for the Indian Civil Service. The cadets would pass a stringent qualifying examination.

11928. (7) To what extent are non-residents of the province employed in your Provincial Civil Service? Do you consider that only residents of the province should ordinarily be recruited?—The first question is for the Secretariat. My answer to the second question is in the affirmative.

11929. (8) Are all classes and communities duly represented in your Provincial Civil Service? Do you consider that this is desirable, and what arrangements do you recommend to secure this object?—Muhammadans are not duly represented. As more than half the population of Bengal is Muhammadan, at least half of the Provincial Civil Service should be Muhammadans. At present about one-fifth is Muhammadan. I think that three Muhammadans should be recruited for every two Hindus until the disparity is rectified. At present the paucity of Muhammadans is much more marked in the higher grades than in the lower grades. I do not,

however, recommend that a preference should be given to Muhammadans in the matter of promotions *within* the Provincial Civil Service, nor in the matter of promotions from other Services to the Provincial Civil Service. Promotions should never be made on racial grounds and should never be based on the claims of fathers and relatives. As among Hindus, the claims of the lower castes were formerly very much neglected. This matter is now receiving the attention of Government. It should never be lost sight of.

11930. (9) What is the system of training and probation adopted for officers of the Provincial Civil Service? Do you consider it satisfactory and, if not, what alterations do you recommend?—I would only repeat my remarks against question (60) (Indian Civil Service).

11931. (10) Is the existing system of departmental examinations suitable and, if not, what changes do you recommend?—What I have written under question (61) (Indian Civil Service), applies, *mutatis mutandis*, to the officers of the Provincial Civil Service. They are now much in the position in which the young Civilians would be if they came out with no special training. Careful initial training by the Collector, a personal certificate from the Collector regarding the probationer's knowledge of law and accounts, and a thorough course of survey and settlement training are, I think, sufficient without a departmental examination.

11932. (16) To what extent is any system of selection for appointments to the higher grades enforced? Is any change of practice required in this respect?—This matter was dealt with in rule 13 of the Eastern Bengal and Assam Rules of 10th June 1909. The rule was, I believe, generally enforced. There is no corresponding rule in the Bengal Rules of 20th August 1912, but I presume that this does not indicate a change of policy. Personally I would give promotion, even to the higher grades, on the ground of seniority, subject to the rejection of the obviously unfit.

11933. (17) Are you satisfied that, under the existing system of promotion, the interests of individual officers and of the Administration are duly reconciled, and have you any suggestions to make regarding it, particularly on the subjects of selection for higher appointments and of the compulsory retirement of inefficient officers?—I am in favour as far as possible of promotion by seniority. The idea of "compulsory retirement" has always struck me as dangerous. In every case of "selection" for a higher grade, I have no doubt that Government has duly considered the interests of individual officers and of the Administration; but the result has always been heart-burning and discontent, and I feel that more harm than good has resulted. In the case of special appointments, calling for special qualities, selection is of course essential.

11934. (18) To what extent are the functions of the officers of the Executive and Judicial Branches of your Provincial Civil Service differentiated? Is any change desirable and, if so, in what direction?—My remarks under question (55) (Indian Civil Service) apply, *mutatis mutandis*, to this question. (P.S.—I should perhaps refer here to the system under which

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Munsifs are deputed to act for two seasons as Assistant Settlement Officers. The system is working excellently and is of great advantage both to the munsifs themselves and to the Settlement Department.)

11935. (19) Are you satisfied with the existing arrangements by which certain posts, ordinarily filled by members of the Indian Civil Service, are listed as open to officers of the Provincial Civil Service of proved merit and ability, and is the system followed in making appointments to the posts suitable? If not, what alterations do you suggest?—*Vide* my answers to questions (25) and (33) (Indian Civil Service).

11936. (20) Are you satisfied with the system by which most of the inferior listed posts are merged in the Provincial Civil Service? If not, what change would you suggest?—*Vide* my answer to question (37) (Indian Civil Service).

11937. (22) Do you accept as suitable the principle recommended by the Public Service Commission of 1886-87 and since followed, that the conditions of the Provincial Civil Services as regards salary should be adjusted by a consideration of the terms necessary to secure locally the desired qualifications in the officers appointed? If not, what principle do you recommend?—The principle laid down in 1886-87 rather savours of "rack-rent". Apart from the question whether the bait is sufficiently alluring to a young man, it is right to consider whether in after years the officer will in fact draw a salary on which he and his family can live in comfort and reasonable dignity.

11938. (24) Are the existing rates of pay and grading in the Provincial Civil Service of your Province adequate to secure the desired qualifications in the officers appointed? If not, what alterations do you recommend?—On the whole I think they are adequate both as an initial bait, and on the other considerations indicated in my answer to question (22). The pay of the second grade might, however, be Rs. 750 and the pay of the first grade Rs. 1,000 per mensem.

11939. (25) Are you satisfied with the present system under which officiating promotions are not made in the Provincial Civil Service?—If not, what alteration do you recommend?—The members of the Provincial Civil Service undoubtedly considered it a grievance that they do not get officiating appointments in higher grades; e.g., when officers are deputed to settlement duty. I do not think, however, that they realise that the cadre was constructed on the assumption that officiating appointments should *not* be made. The settlement posts form part of the cadre. They might have been considered as outside posts, but in that case they would have been excluded from the cadre and there would be no vacancies to fill up. The problem, so to speak, is as broad as it is long. I imagine that the case of leave-vacancies is on a similar footing: the papers on the subject have no doubt been submitted by the Secretariat.

11940. (26) What is your opinion regarding the substitution of a time-scale of salary for the existing graded system of promotion? If you are in favour of a time-scale, should it be restricted to the lower grades of the Service or not?—Please see my answer to question (99) (Indian Civil Service). Although the question

has seldom been discussed in connection with the Indian Civil Service in this province, I understand that the officers of the Provincial Civil Service have discussed it and are in favour of it. I think there is more to be said for the proposal in the Provincial Civil Service than in the Indian Civil Service, but in both cases I reserve my opinion. If a time-scale were introduced in the Provincial Civil Service, it should not, I think, be confined to the lower grades.

11941. (28) What is your experience of the practical working of time-scales of pay in other Indian Services?—*Vide* my answer to question (101) (Indian Civil Service).

11942. (30) Do you approve of the arrangement by which officers of the Provincial Civil Service holding listed posts draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rate do you suggest for the various appointments?—*Vide* question (104) (Indian Civil Service).

11943. (32) Is all the leave on full pay due to them ordinarily taken by officers of the Provincial Civil Service and, if not, what are the reasons? Is the amount which can be earned in your opinion suitable? If not, what alternative arrangement do you suggest?—Privilege leave is practically the only leave taken by officers of the Provincial Civil Service, except leave on medical certificate in cases where the privilege leave is insufficient for their recovery. Officers of the Provincial Civil Service generally take their privilege leave sooner or later, but they often suffer by reason of the three months' limit. I have recommended the total abolition of this limit in the case of the Indian Civil Service question (107). In the case of the Provincial Civil Service, the limit might be raised to six months.

11944. (33) Is all the furlough due to them ordinarily taken by officers of the Provincial Civil Service? Is it necessary to allow for as much furlough as is permissible by the present rules? If not, what change do you suggest?—These officers very seldom take furlough. Article 338 might, however, stand.

11945. (38) In particular, are they a contributory cause of excessive transfers of officers and, if so, how can this difficulty be met?—My answer to question (114) (Indian Civil Service) applies here also; but I am not sure that the remedy which I suggested in the case of Indian Civil Service officers would be suitable in the case of Provincial Civil Service officers.

11946. (39) Do any of the present leave rules press hardly in any way on officers of the Provincial Civil Service and, if so, in what respects? What is, in your opinion, the appropriate remedy? In particular, do you regard the existing differences between the leave rules for the European and Indian Services as suitable?—See my answer to question (115) (Indian Civil Service). The restrictions regarding intervals between leave are vexatious here also. The differences between the leave rules for the European and Indian Services are generally suitable. European members of the Provincial Civil Service, even if they are Statutory "Natives of India," might, however, be allowed the benefit of the European leave rules and their furlough

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pay might be two-thirds of their average working pay. The small extra cost should be borne by the State. In the interest of health and efficiency, European members of the Provincial Civil Service should be encouraged to take furlough in Europe, even though they are "dometiled" in India.

11947. (42) Do you approve of the grant of reduced pensions for such officers as may be found to be inefficient but whom it may be difficult to retire without some provision for their subsistence? If so, what do you suggest?—My answer to question (124) (Indian Civil Service) applies *mutatis mutandis*.

11948. (43) Do you approve of the present system regulating the pensions of officers of the Provincial Civil Service holding listed posts? If not, what do you suggest?—*Vide* my remarks to questions (127) and (128) (Indian Civil Service).

11949. (44) Do you consider that the existing rules governing the voluntary and compulsory retirement of members of the Provincial Civil Service are satisfactory? If not, what changes do you recommend?—In place of the rules contained in articles 459 and 464 of the Civil Service Regulations, I consider that the rules applicable to Indian Civilians should be substituted generally, *i.e.*, full pension after

25 years of service and compulsory retirement after 35 years of service. These rules should be *strictly* enforced, as in the case of the Indian Civil Service. The present system of "extensions" creates uncertainty and confusion and is demoralizing to all concerned. My remarks at question (125) (Indian Civil Service) apply also to the Provincial Civil Service.

11950. (45) To what extent do members of the Provincial Civil Service subscribe for the benefit of their families to the Government General Provident Fund, or to other official or officially-recognized funds? Are any further facilities required, and what arrangements of this kind do you consider to be necessary?—The Government General Provident Fund is, I understand, a popular and useful institution. This question can, however, be answered better by the officers immediately concerned. The Accountant-General is no doubt supplying statistical information.

11951. (47) Have you any other proposals to make in regard to the Provincial Civil Service not covered by your answers to the above questions? If so, please explain them?—I would only reiterate my suggestion [*vide* question (6)] that the Subordinate Executive Service should, at least in this province, be amalgamated with the Provincial Civil Service.

MR. N. D. BEATSON-BELL called and examined.

11952. (Chairman.) You are Commissioner of the Dacca Division, are you not?—Yes.

11953. You suggest, in answer to question (2), that a proportion of the vacancies in the Indian Civil Service might be reserved for cadets nominated by the Secretary of State, the cadets being the sons of officers who had served Government?—Yes, a certain proportion of the vacancies each year should be reserved for cadets, as is done in the case of the Indian Army.

11954. Such cadets would have to pass a qualifying examination of a more lenient character than that of the open competition?—It would be on the same papers, but the successful cadets would have to secure a minimum number of marks.

11955. What particular object have you in view in making this suggestion?—I think it is a system that works well in the case of the Indian Army, and I think it would be a good system if we were to have more Natives of India in the Indian Civil Service. You would get a very good class by means of this system.

11956. Do you think it is a proposal likely to meet with the acceptance of Parliament under modern conditions?—I quite understand people saying that it is somewhat retrograde, but personally it appeals to me.

11957. It is more a theoretical proposal than a practical one?—I should say it was a practical proposal.

11958. For the remaining vacancies in the Indian Civil Service you recommend a continuance of the present system, mainly because of the practical difficulties in the way of any selective system?—Yes.

11959. You are opposed to the institution of simultaneous examinations?—Yes.

11960. And you are also opposed to any form of separate examinations?—Yes.

11961. But you would continue the present system of promoting officers of the Provincial Civil Service to listed posts?—Yes.

11962. Would you suggest that any more appointments be listed?—No, I think the allowance is fairly ample at present.

11963. Do you consider that the permissible standard of recruitment for Indians should be raised above one-sixth?—Not yet.

11964. You regard that as sufficient at present?—Yes, I think things are very well as they are.

11965. You recommend a low age-limit for entry into the Indian Civil Service?—Yes, the age which was in force at the time I got in, 17 to 19, I think was a good system.

11966. You say that on the whole you think Indian parents would prefer that?—I think so.

11967. Was it not rather to meet the views of Indian parents that the age was raised?—I was not aware of that; there were various reasons given.

11968. What is your reason for saying that it will meet the views of Indian parents?—It is a good deal on the ground of expense. If they had to give a university education to their sons here and then send them to England, it would be more expensive than if they sent them straight from school.

11969. You think there would be no reluctance on the part of Indian parents to send their sons to England at that age?—There might in some cases; I admit it is an open question. I do not say that the opinion would be universal.

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on this point; but on the whole I should think 17 to 19 would be more popular.

11970. You think it important to consider the wishes of Indian parents?—Yes.

11971. And you would also regard the convenience of the Indians who competed?—Certainly. But after all the Indian Civil Service should be considered as essentially a British service and the opinions of Indian parents, while being taken into consideration, should not be taken into consideration too much.

11972. Do you think that, from the administrative point of view, the country would be better served if the age-limits were reduced?—That is my opinion.

11973. Is that founded on your observation of what is taking place now?—Yes, from my knowledge of my brother officers.

11974. You think they did better when they came out earlier?—I think so.

11975. How many years ago was it when the age-limits were between 17 and 19?—1891.

11976. And you think that the men who came out then were better than those who come out now?—Yes, I said in my written answer, that "Good, bad and indifferent officers have come out under both systems. The general education of the later batches is superior to that of the earlier batches; but the special education of the earlier batches, particularly of those who went through a three years' probation was much better. The earlier batches were more disposed to look at things from an Indian standpoint." They did not come out so petrified, if I might say so.

11977. With your low age-limit you would have a three years' probationary period?—Yes.

11978. What do you think would be the best way of filling up the time of probation?—I would have a course very similar to that which I had in my time. We did Indian languages and law, Indian History, Jurisprudence, Political Economy, and various subjects of that sort, and in the third year we studied and took our degree, those of us who received permission to do so. Personally I took my degree in Indian languages while many of my contemporaries took it in law.

11979. You did not find that the three years' course was too long?—No, we had not already gone through a university course.

11980. You consider that a three years' course is better than two?—I think so.

11981. As you may know, we have had evidence pointing towards two years?—I think three is better still. I would not give a three years' course if a man had already done a university course. The people I am speaking about are the people who have not done a university course. It is most desirable that they should be three years at the university.

11982. You say you are against the compulsory retirement of inefficient officers?—I admit that my opinion is perhaps not the general opinion.

11983. What is your reason for coming to that conclusion?—It would create a sense of insecurity in the Service and make it more unpopular if it were known that a man could be turned out at the bidding of a man who happened to be in power at the time.

11984. Do you not think that some system could be introduced which would avoid such dangers?—A system could be brought into practice which would mitigate them; for instance, a man might have a right of appeal to a Board.

11985. Would you not suggest that an officer, who has been proved to be inefficient should, under fair conditions, be replaced by some one who would carry on the work of Government efficiently?—At present he can be turned out for grave misconduct. A commission is sent down to enquire. I remember several cases of this kind. But for general inefficiency, I should generally be inclined to suffer him.

11986. You would give the benefit to the individual?—Yes.

11987. You recommend that furlough rates should be two-thirds of the average salary?—Yes.

11988. Then you go on to say that the increased cost should be equally distributed between the State and the members of the Service. How would that be done?—In order to get this boon, I should be quite willing that our monthly contributions should be increased.

11989. Do you think that would be popular in the Service?—No, but if they got their money's worth it would not be really unpopular. We should, of course, prefer to get it for nothing if we could, but I would rather pay for it than not get it at all.

11990. It is rather a personal opinion of your own?—Yes, this is my personal evidence.

11991. You are not giving an opinion based upon any wide knowledge of the opinion of the Service generally?—No.

11992. You suggest that officers should be allowed to retire at their own request on proportionate pensions after ten years' service?—Yes.

11993. That is an innovation, too, is it not?—That is an innovation.

11994. It would involve a very considerable increase in the non-effective charges, would it not?—Yes, but I think if a man is unwilling, it is not much use keeping him on; he is not worth keeping.

11995. But might not a suggestion of that character, if put into practice, tend to induce officers to leave who otherwise would not have thought of retiring?—I do not think it would be very largely availed of.

11996. In answer to question (114) you say, "Officers serving in unpopular districts sometimes take leave in the hope that, on the expiry of leave they will be transferred to better districts. I should like to see a system under which Collectors and Judges are posted to particular districts for at least five years." Would not that necessitate a considerable change in the administrative arrangements of the Service?—It would be difficult, I admit, to carry out, but I should like to see appointments made for five years.

11997. To carry it out would involve a complete rearrangement of ideas?—It would be very difficult. I have acted as Chief Secretary and know the difficulty of these things.

11998. You suggest that if it came to alternatives you would prefer to see furlough pay and pension increased rather than working pay?—Yes.

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11999. You think, on the whole, that would be more to the officer's advantage?—Yes; that is where the shoe pinches, when we go home. We manage to rub along somehow out here, but when we go home we find it very hard to make both ends meet.

12000. You think the chief advantage to an officer is to be able to look forward to a substantial pension?—That is to my mind the most attractive thing.

12001. What would be the opinion of the Service as to this?—I should think it would be divided. Some people would take the immediate pay and some would prefer increased pension and furlough.

12002. I see you make another large proposal, in answer to question (6), for the amalgamation of the Provincial Service and the Subordinate Service?—Yes.

12003. Does that mean, apart from the cadets you speak of, that the whole Service would be open to one system of recruitment?—Yes.

12004. The whole combined Services?—I have explained in my written answer to question (6) exactly how it would work out in practice; there would be 22 vacancies every year.

12005. Are not the duties of officers at the head of the Provincial Civil Service and at the bottom of the Subordinate Service respectively very different?—Not very much, apart from those who are holding special appointments. They all do Revenue and Criminal work.

12006. What have you particularly in your mind in suggesting the amalgamation of these two Services?—The present discontent among the Subordinate Service. The men there are just as good as those in the Provincial Service, and they have to work on very low pay with great drudgery for six or seven years before they come into the Provincial Service, and it creates a feeling of discontent from the very first. I have discussed this with many officers of both Services and I have never heard anyone against the amalgamation; they are unanimously in favour of it.

12007. You would raise the pay of the Subordinate to that of the Provincial Service?—Yes.

12008. Have you worked out the cost of that?—No.

12009. It would be rather costly, would it not?—Not very; the members of the subordinate service start at Rs. 100 and in my scheme they would now start at Rs. 200.

12010. (*Lord Ronaldshay*.) In answer to question (2), you say that in the matter of cadetships for the Indian Army there is now an automatic system which practically excludes the element of jobbery?—Yes.

12011. Could you describe it very briefly?—They give so many marks to the boy's father for every year of the father's service; so many marks for every campaign he has been in and for every decoration he has received; and they add the marks up and give the cadetships to the boys whose fathers come out top.

12012. And you would advocate that for filling some of the vacancies of the Indian Civil Service?—Something of the same system.

12013. In answer to question (6), you say that a system of selection of head masters of

schools would produce on the whole better men than those produced under the present system?—I think so.

12014. If we have to recommend any alteration of the present system we have to have some very definite reasons for doing so; could you tell me why you think an alteration of the present system would be desirable? Is it that the men whom you are getting under the present system are not as well qualified as they might be for their duties?—Some of them are not, but I think you can always trust the head master of a public school to send you out only first-class men. You would not have any bad eggs, and we do have a certain number of bad eggs at present.

12015. Under the present system, you get a certain number of these undesirable men?—Yes.

12016. If it were found practicable to suggest an alteration of the present system, you really think it would be desirable?—You would get a very good class of men, but as I have said here I cannot see any possibility of doing it.

12017. I know you do not think it is practicable, but supposing it were considered by other people to be practicable, do you think it really desirable?—Yes, if it were considered practicable, but I do not see how it can be done having regard to all the schools in the Colonies and in Great Britain and in India.

12018. If we make a recommendation that will be for us to consider?—I quite understand that.

12019. You say you think the officers of the Provincial Civil Service holding listed posts ought to receive the same pay as members of the Indian Civil Service doing similar work?—I think so.

12020. Do you think that should apply to the inferior listed posts as well as the superior listed posts?—I think so. If a man is fit to take the post, he is fit to take the pay.

12021. But in the case of the inferior listed posts, you get a man filling a post which is called listed and receiving higher pay than a man who is filling another post which is not called listed, but which, as a matter of fact, for all practical purposes is identical?—You mean among the Deputy Magistrates in the Rs. 600 grade, and so on?

12022. Yes, and among the Deputy Collectors. Would not that create a great inequality in the ranks of the Provincial Service?—That is another question; at present the Deputy Magistrates and Deputy Collectors, who hold listed posts, do not know that they are holding them.

12023. I quite agree with you that they do not know they are holding the listed posts, and the reason that they do not know I suppose is that their duties are absolutely identical with the duties performed by other members of the Provincial Civil Service?—Yes. No one knows who is holding it.

12024. There is no distinction between them?—No.

12025. If you are going to pick out a certain number of these posts and say that they should be paid at the higher rate, and if the duties are precisely the same and discharged by

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means of the same Service, would you not create a great deal of difficulty within the ranks of the Service itself?—A man who is holding a post of Joint-Magistrate would be called a Joint-Magistrate and receive the pay of a Joint-Magistrate. I think there would be a certain jealousy amongst those who did not get these posts (that is the argument against it) but, as I said before, unless they are taken from an early stage, they are not really on their mettle.

12026. You make a suggestion in which I am personally interested; namely, that Indians should be sent to English public schools. Have you had any personal knowledge of Indians who have been to English public schools?—Yes.

12027. On the whole, do you think they imbibe what is known as the English spirit very much more thoroughly than the Indian who merely goes to England for a university career?—Certainly.

12028. You think it would be, therefore a very good thing, if it were practicable, that all Indians who aspire to enter the Civil Service through the English door, should not only pass a certain part of their educational time at an English university but should also pass it at an English public school?—If such a scheme were considered practicable, I should welcome it.

12029. Would you be in favour of some system of scholarships?—That is what I propose in regard to cadetships, that the cadets should be taken about the age of 14 and receive a scholarship. If it could be made universal, not only for those who come in as cadets, but for those who come in by the open door, I should be very glad to see it.

12030. You say you do not recommend that any instruction in accounts should be included in the probationer's curriculum?—I do not think it is necessary.

12031. We have had evidence put before us which suggests to my mind that it would be really very desirable that some instruction in accounts should be included in the curriculum given during the probationary period. For instance, one of our witnesses to-day said that, to the syllabus of 1891, he would add an examination in accounts, that there are few instances in which a Civilian is not a custodian of public money. You agree to the last part, do you not?—Certainly he has always got to handle money.

12032. And it would be a great advantage to him to have some training in account-keeping?—I think it would be sufficient if he did that when he came out. He would understand the books better when he saw them in actual working rather than by listening to somebody giving theoretical lectures at Oxford with blank account-books.

12033. You think he would get sufficient knowledge when he comes out here?—Yes.

12034. (Sir Theodore Morison.) You have served on a commission with military officers?—Yes, in Assam.

12035. Did you find they were looked down upon by their brother officers because they entered by a back door?—No.

12036. Civilians did not despise them for not having passed as high examinations as themselves?—Not at all.

12037. In answer to question (107), I see you suggest that the maximum of three months' leave should be abolished?—Yes.

12038. Would you have any limit up to which you would accumulate privilege leave?—I think it is hardly necessary. In practice a man would not run it up to more than six months. I would have a limit in the Provincial Civil Service possibly, where they do not take leave so much, but in the Indian Civil Service a man would seldom run beyond six months at the outside, and if he has earned the leave I do not see why he should not get it.

12039. Do you not think that 5½ years without a holiday is rather long?—I do.

12040. May not some officers be driven by motives of economy and family reasons to strain their health?—The temptation might be great, I admit there is that; but I also proposed that the men should get increased furlough pay.

12041. You would object to the suggestion made to us in Madras that a man should be compelled to take his one month's privilege leave every year?—I would not make it compulsory.

12042. (Mr. Gokhale.) I want to understand your scheme about cadets. Would you take cadets from England as well as from India?—Yes.

12043. How many English youths would you take and how many Indian?—The Secretary of State would make a rule from time to time, as he does in the case of the Army cadets. To begin with, I thought we might have one-third Indian and two-thirds British.

12044. (Mr. Sly.) You have given us some very strong views in favour of class representation in the Provincial Service, and I should like to know why you consider that of so much importance?—I consider it almost a public scandal that the posts of Deputy Magistrate and of Munsif should be confined to two or three castes. It creates grave discontent among the other castes who are excluded.

12045. Discontent because they have not got particular posts or discontent because they are judicially affected in other ways, or what?—First, because they have not got their share of the loaves and fishes, and, secondly, because they think their cases are not sympathetically dealt with by officers of other castes.

12046. Have you had any experience that would lead you to believe that is the case?—Yes, that is my view.

12047. What is that impression based upon?—It is based upon conversations with raiyats.

12048. You were employed, I believe, as a Special Magistrate in the Mymensingh riot cases?—I was.

12049. Can you tell us what was at the bottom of those riots, and what was the general result of your enquiry into them?—The general result of my enquiry was that the Hindu money-lenders had oppressed the Muhammadan raiyats beyond endurance. The final touch was when Hindu money-lenders forced the Muhammadan raiyats, when they had a loan of Rs. 10, to pay down so many annas for the support of the Hindu idol.

12050. The class feeling between Muhammadans and Hindus in Mymensingh was very bitter, was it not?—Extremely bitter.

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12051. Did that in any way prejudicially affect the class and caste of the Government officer employed in that district?—The officers who were deputed along with me to try these cases were Muhammadans. This was especially done by Government in order that the accused should see they were not getting an officer to try them who would be prejudiced against them. The Muhammadans convicted their fellow Muhammadans.

12052. Was there a strong prejudice amongst the people in regard to the class or caste of the officer who tried these cases?—I think the accused in these cases saw that they would get fair play when they had a Muhammadan trying them. If a Hindu had been trying them, I am sure the first thing they would have done would have been to move the High Court for a transfer of the case to a European officer.

12053. Most of these transgressors were Muhammadans on this occasion, were they not?—Yes.

12054. And the Government considered it essential that so far as possible all those cases should be tried by Muhammadan officers?—Or European officers.

12055. Because of the great prejudice that would have been caused if they had been tried by Hindu officers?—Yes.

12056. You have a great many annual confidential reports of officers through your hands every year I believe?—Yes.

12057. Confidential reports of their work?—Yes.

12058. Can you tell me whether it is or is not a rule of Government that any remarks prejudicial to an officer's interest contained in those confidential reports shall be communicated to him?—I am not sure in regard to Bengal as now constituted. In Eastern Bengal where I was until recently it was not the rule. There was a discussion and it was decided that the remarks should not be communicated.

12059. (Mr. Macdonald.) Am I to understand the idea of racial impartiality is that when Muhammadans are accused Muhammadans judge them?—No, not necessarily; but I think it is better in cases of a religious nature that the trying officer should be of the same caste or class as the accused rather than of the caste complaining. It would be best of all that the accused should be tried by a European, and all the big cases in the Mymensingh riots were tried by Europeans; but I think it is better the bias should be with the accused than against him.

12060. Supposing they had been Bengalis who were accused?—Those were Bengalis.

12061. I mean Hindus. Have you had experience of Hindus being sent down under such circumstances to try the accused?—I have not had personal experience of such a case.

12062. With reference to the nominations, you say that you believe head masters of public schools would do it much better than university authorities?—That is my impression; they know the boys more thoroughly than a don can know a man in a college.

12063. How would you define a public school?—I believe there is a list of public schools. There is the Public Schools Club which

I know has a recognised list of what it considers to be public schools.

12064. Would you take the view that those who can go to a public school are confined to a much narrower class of society than those who can go to a university?—In Scotland, certainly.

12065. It would be so in Scotland?—Yes.

12066. If you confine the nomination to boys attending public schools, you practically cut out Scotland altogether except one or two Episcopalian schools?—The Edinburgh Academy is a public school. It is considered to be such in the Public Schools Club.

12067. Would you say in the same way that a Board School was a public school?—It is so, I think, under the definition in the Act. But I do not remember to have recommended that nominations should be confined to public schools.

12068. You say that head masters of public schools would be better authorities, and I thought perhaps you were going further than you intended to go?—Certainly I do not wish to exclude the Scottish schools.

12069. There are public schools in the other sense, such as the schools under the London County Council, where scholarships are given and children of the working classes can be sent up to the university. Would you include such London County Council schools?—I do not see how a list could be made. I was thinking of those very schools when I gave my answer.

12070. You refer in your answers to the earlier batches being more disposed to look at things from an Indian standpoint. I suppose that you think if you went back to the three years' probation we could give a training which would enable successful candidates to look at things from an Indian standpoint more than they do now?—Yes.

12071. In your experience do you find that it is just as important that a man who comes out here should look at things from an Indian standpoint as that he should have passed a high literary examination at home?—I have no great belief in examinations.

12072. Do you find any defect in this way that men, who are very admirable and very able and very clever; nevertheless out here, never seem to be able to fit themselves into Indian conditions and breathe naturally the Indian atmosphere?—There are such cases.

12073. Do you think it is very important that, when a man has confirmed shortcomings in that respect, he ought not to be encouraged to remain in the Service?—He may be put into posts where these things do no great harm, some Accounts post or something of that sort, where he would not have to exercise great tact or anything of that kind.

12074. If those people get promoted and put into the higher offices, more particularly responsible Secretariat places, you would say that was a grave defect of the Government?—He would not do very much harm by being in the Secretariat; the men there are more clerks.

12075. With all the openings that come to the Secretariat for the higher administrative posts?—I do not know that the higher administrative posts necessarily go to the Secretariat.

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12076. Is it not the practice, if not the rule, that the Secretariats attached to the various Governments are the steps to important administrative appointments?—It depends on what you mean by important administrative appointments. The Government of India is generally composed of Secretariat men. I have been only six months in the Secretariat and I am now a Commissioner.

12077. I do not want to labour that point; the question is independent of that. If you find men defective in this particular method of handling the Indian, of getting into intimate touch with him, do you think that ought to be a bar to the man's progress in the Service?—It is in actual practice.

12078. That sort of people have never been degraded, have they?—I do not know. If a man is known to get on very badly with Indians, it is a bad mark against him, and counts against his promotion or selection for responsible posts.

12079. With reference to the Provincial Civil Service, you say that the appointments by nomination have resulted in putting into the Service men who are intellectually of a lower calibre than those formerly selected by open competition?—That is my general impression.

12080. Do you also mean that they are not quite such good officers?—Not necessarily, because I do not regard intellectual calibre as being a very essential quality.

12081. I wanted to know if you have used this phrase deliberately really to show that they are intellectually inferior or that they are inferior as administrative officers?—I would not say they are inferior as administrative officers; I think they are intellectually somewhat inferior.

12082. Were you as satisfied with the Provincial Civil Service when nominated as you were with the Provincial Civil Service selected by competition?—As things now are, I would not go back to a purely open competition for political reasons.

12083. But with the nomination that exists, you still say in answer to question (8) that the communities are not properly represented?—It is getting gradually right by means of the nomination system.

12084. The adjustment that is taking place is because of the nomination?—Yes.

12085. You do not take the view that Muhammadans and others will have a great educational incentive if they find it difficult to get into the Service except through the door of open competition?—If you made it an open competition, the Muhammadans would be almost entirely excluded.

12086. But would it not be an incentive to them to qualify upon educational grounds?—It would be a thing a long way off. The movement in Muhammadan education is very strong at present.

12087. Take the movement that is going on now for the improvement of Muhammadan education, Aligarh, and everything that has followed from it, including the projected Dacca University, if the Government had gone upon the principle of appointing a Muhammadan for a Hindu in every public post during the last

20 or 30 years, do you think from your experience and knowledge that the incentive would have been as great as it is now for the Muhammadans to pursue higher education?—If they found that Government put them in in spite of their low education the incentive would not naturally be so great.

12088. If you go to Aligarh or Dacca, is it not a common thing to be told that the chief reason why this is being done is that the community may be properly represented in all public offices?—Yes.

12089. (Mr. Madge.) In framing your answer to question (2), have you had these two facts in mind at all: first, that when Civilians break themselves adrift from English society and all its opportunities and advantages, they acquire some kind of claim to be considered as regards their children, a claim which ought to be recognized when it does not militate against the public interest?—That is so.

12090. And, secondly, that administrative tact and Government capacity sometimes may be inherited?—Yes; those were two of my main reasons.

12091. That is to say, that, although a great deal was said against Haileybury, there was something to be said in favour of it?—Yes.

12092. With regard to question (4), are not you afraid of starting some dangerous sentiment when you say, "There is a good deal to be said for taking reprisals against Colonies which exclude 'British Indians'?" So far as pure race prejudice or anything like that is concerned, I quite agree with you, but is not some of the feeling among the more thoughtful and better class in our Colonies, something of the instinct of self-preservation against lower standards of living or economic conditions that would destroy trade and change the whole character of a Colony that ought to be British if it is to be of any use to the Empire?—I understand that is their sentiment, but the fact remains that the Indians are badly treated.

12093. I quite sympathize with you so far as any efforts to improve their treatment goes, but there is a risk of raising a dangerous kind of sentiment when you wish to encourage either by legislation or otherwise the taking of reprisals?—I say there is something to be said for it, but I do not recommend it. I think we should take the Imperial standpoint whatever they do.

12094. With regard to public schools, would not some kind of standardization of education or some kind of co-ordination of the syllabus or the results of examinations be necessary before you take the recommendation of heads of public schools all over the country?—I do not see how it can be done, but if any system of that sort be established, the Secretary of State would presumably satisfy himself that the schools on the approved list were giving a thorough curriculum.

12095. Some kind of standardization or co-ordination would be needed?—Not necessarily standardization. There might be a totally different curriculum in the two schools, but a good one in each.

12096. So long as they tested character as well as literary quality it would do?—Yes.

12097. You think it necessary that certain posts should be reserved by statute for

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[continued.]

officers recruited to the Indian Civil Service. Would you have a minimum grade fixed or leave the choice with the responsible Government from time to time?—I would have it practically as it is at present; I think it is the only safe guarantee.

12098. But supposing a crisis arose when anything was specially needed you would have to change a statute which would involve a great loss of time, whereas if you trusted the responsible Government they could act immediately?—You mean that sudden orders, like those given at the Delhi Durbar, could be issued by the executive authority? I would not trust to that. I would rather have a statute.

12099. (Mr. *Abdur Rahim*.) Apart from any abstract theory, can you tell me from your experience whether it is a fact that the holding out of inducement of a Government appointment has tended to encourage education in Bengal?—The attractiveness of Government service makes boys read hard in the schools, certainly. Most boys in schools hope to go into Government service and they study hard in consequence.

12100. Do you know the history of education in Bengal, that it was started in order to find competent men to act as clerks or in subordinate places?—That is what I understand to have been one of the chief reasons.

12101. And that was why English education was encouraged in Bengal?—I do not know that it was entirely so. My impression is that a good deal of early education was done by the missionaries for religious purposes.

12102. For instance, do you remember that, in order to secure medical students, scholarships were awarded at first and inducements held out that they would get certain appointments if successful in passing examinations?—I have not looked up the papers recently on that subject.

12103. With regard to the competitive examination which was introduced here for the Provincial Civil Service, did any Muhammadan get in?—Very few of them I think by open competition. There were one or two who got in according to my recollection.

12104. Out of how many?—I should doubt if more than one or two per cent. got in.

12105. If open competition were introduced into the Provincial Civil Service, the result would be that the Muhammadans would be almost totally excluded?—This would be so now, but not so much as it used to be.

12106. I said almost?—Yes, almost.

12107. The Muhammadan population is very large in Bengal, is it not?—Yes.

12108. You have considerable experience, I suppose, of Muhammadan officers who have been selected by nomination?—Yes.

12109. What is your opinion as regards their work?—It is as good as that of Hindus, quite as good.

12110. You have not noticed any difference in the work, that it is inferior to that of the Hindus?—No; on the whole I say it is rather better.

12111. You would rather say their work is better?—I think so. At first they do not

show up so well, but after a few years Muhammadans improve greatly, and their administrative capacity is often very great.

12112. Am I right in supposing that among Muhammadan members of the Provincial Civil Service there have been often some very distinguished men, men who were originally selected by nomination, and not by competition?—Yes.

12113. And I suppose you know that in the early days of the British settlement here, when the country was being settled, much settlement work was done purely by Muhammadans?—I do not remember particular cases.

12114. Take the Deputy Collectors in those days?—By settlement do you mean Land Revenue Settlement?

12115. Take the Land Revenue Settlement to start with. In the whole organization of Government there were a good many Muhammadans employed?—Yes, that is my general impression. Naturally, as we took over the administration from a Muhammadan Government, there were a good many Muhammadan officers.

12116. It was they who helped in organizing the Government in those days?—A great deal, but there were also many Hindus.

12117. But there was a larger number of Muhammadans?—My impression is to that effect, but I cannot say for certain.

12118. With regard to the Subordinate Service, what is the lowest post in that Service?—Sub-Deputy Magistrate at Rs. 100.

12119. Have you Tahsildars here?—We have Tahsildars in Government Estates, but they do not constitute a regular service.

12120. You have Kanungos?—Yes.

12121. Are they on the same footing as Sub-Deputy Magistrates?—They are lower. They all look forward to being promoted to that.

12122. Is that the whole subordinate service?—Practically; then you come to clerks and menials.

12123. The clerks are in the ministerial service, are they not?—And I believe technically the Kanungos are also in the ministerial service.

12124. What you suggest, then, is that Sub-Deputy Magistrates should be put in the same service as Deputy Collectors?—Yes, and the next lower grade would be Kanungos.

12125. You would not go lower down?—No, I would amalgamate only those two Services.

12126. (Chairman.) You confine your amalgamation to those two Services?—To the Provincial and Subordinate Executive; I would not amalgamate the Kanungos; I would keep them separate.

12127. And the inferior branches of the Service would remain the same as in the Subordinate service?—The Kanungos would remain as they are. They have just grievances, and I should like to see their posts made quasi-permanent, and therefore pensionable, but I would keep them as Kanungos and not include them in the Provincial Civil Service.

12128. (Sir *Fakirine Chirk*.) In reply to question (125), you propose there should be optional retirement for an officer at a much earlier age than now, on the ground that it is

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not in the interests of the community that officers should be retained if their hearts are not in their work?—That is my opinion.

12129. On the other hand, you object to the idea of compulsory retirement. Surely if it is in the interests of the community that officers should be encouraged to go whose hearts are not in their work, it is also in the interests of the community that those who may not be so much inclined to go, but who also have not their hearts in their work, should have gentle pressure put upon them to make them go?—These officers very often have their hearts in their work; they are doing their best, but they are rather stupid. I would not turn them out.

12130. From the point of view that at the present time undoubtedly European officials are subjected to very much closer criticism than they were formerly, is it not very important for the credit of the Service that men should be encouraged and made to retire when their inefficiency amounts in some cases to little short of a public scandal?—I would not turn a man out except by a Commission, and that can be done at present. I think if a man takes bribes or is habitually drunk, he should be turned out, but if he is an honest but rather stupid man, and plodding on, I would leave him alone.

12131. You would rather jeopardise the credit of the Service than risk any slight injustice to individuals?—I do not think the credit of the Service would be jeopardised by keeping on these people. I would give them some unimportant posts and no great promotion.

12132. But should there be any unimportant posts in the Indian Civil Service?—I mean comparatively.

12133. (*Sir Murray Hammick.*) In question (28), you said that the Statutory Civilian system was not a success in Bengal, and you do not advocate its revival. Then in answer to question (37) you say, "I find that the officers of the Provincial Civil Service dislike the system because no one knows, until the time comes for selection as a District Officer, whether he is holding a listed appointment or an ordinary appointment. No one is given a special designation or treated in a special manner. No one is therefore put on his mettle to show specially good work in the earlier days of his service. I have had no discussion on this subject with members of the general public. I am not aware of the advantages, if any, which the arrangement possesses." Apparently you would like to see the lower inferior posts of the listed service made quite distinct from the Provincial Civil Service?—I am not sure on that point, but I discussed it with several members of the Provincial Service and the majority would like to see it that way. I admit that some are against it. I have not quite made up my own mind on the point.

12134. If you take out the inferior appointments which are now merged in the Provincial Service and made them separate, would not that amount to constituting a Statutory service again?—That is what I fear; it is because of that objection that I have not made up my mind. There is a great deal to be said for things as they are.

12135. When you speak of your objections to the Statutory service, your objection is not to the Statutory service as a service but to the Statutory service as it existed 20 or 25 years ago, because the Statutory service then was manned by a system of appointments which did not produce the best men available?—That is so.

12136. The objection to the Statutory service was not to the Service as a Service, but to the inferior quality of the men who got into that service?—Of course there were exceptions.

12137. But, as a rule, owing to the appointments being made by favour or by nomination, a considerable number of inferior men got into that service and proved failures, and so gave that service a bad name?—That is so.

12138. Do you think it would be probable, supposing you had a kind of service reviving the old Statutory service, care being taken to put the best men you could find into it, that that service would still bear the mark of being a very inferior service as compared with the Indian Civil Service?—It would always be so to a certain extent, and I think it was intended to be so.

12139. You spoke of the subordinate service being amalgamated with the Provincial Service, but I understand in Bengal you have another service below the subordinate service, clerks, for instance, at Rs. 15 a month?—They are in the ministerial service.

12140. You have a ministerial service and above it a subordinate service?—Yes.

12141. The subordinate service consists mainly of appointments rising from Rs. 100—250?—Yes, up to Rs. 250.

12142. There are not very many people in that service?—There are nearly 200.

12143. Do you put clerks into that service?—Occasionally clerks are promoted to it, but it is not the usual promotion.

12144. For instance, a head clerk of a Collector's office?—He is not in that service; he is in the ministerial service.

12145. Would a clerk who draws Rs. 150 a month be in the subordinate service?—No; he would be classed as ministerial.

12146. These people you call Kanungos are what we call in Madras Revenue-inspectors, I suppose?—I should think they are something of that sort; they do a great deal of work in settlement.

12147. With regard to what Mr. Macdonald asked you about the Secretariat appointment, is it the case in Bengal that a great many officers go quite to the top of the Service who have never had any Secretariat experience at all, Commissioners, etc.?—Certainly.

12148. The chances are that you may get into the Executive Council men who have never been in the Secretariat?—Certainly.

12149. So that the Secretariat man does not bear the mark of being a very superior officer; he is selected specially as being likely to do Secretariat work well?—That is so.

12150. There may be just as good officers who are never taken into the Secretariat. It is no mark of disapproval when a man has not been in it?—No. I was not in it until a few months ago, and I never felt any stigma in consequence. I had no desire to go there.

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[concluded.]

12151. Do you think if you had the simultaneous examination, from what you know of Muhammadan education in Bengal, that in the next 10 or 15 years the progress of Muhammadan education would enable them to overcome their present difficulties and carry off a fair proportion of appointments in the competitive examination?—In 10 or 15 years they might, but at present they would be absolutely swamped.

12152. I think you admitted to the President that it would be difficult to attach officers to different districts for a period of five years?—There would be practical difficulties.

12153. Do not you think it would lead to more transfers even than you get now? If a man was attached to a district for five years and took leave during that period it would necessitate his going back to that district when he returned?—If he took leave during that period you would have to make a local arrangement.

12154. If he took furlough during his five years he would have to go back to his own district and turn out some one whom you had put in to act for him whilst he was away?—If you allowed him to take furlough during his five years.

12155. He would have to do that very often probably?—As far as possible you would post a man to a district from one long furlough to the next long furlough.

12156. In Madras, we have had a system of territorial appointments instead of graded service, but we had to abolish it because it led to a tremendous number of transfers. I am afraid your proposal would increase the number of transfers rather than reduce them?—The matter was much discussed before the Decentralization Commission, but I forget their final decision.

12157. (*Mr. Mukharji.*) With reference to your answer to question (39), you say that the Provincial Service men appointed to the listed posts have not always succeeded because of the fact that they were appointed when far advanced in years?—Yes.

12158. Do not you think also that some faulty selections may have been made?—It is possible. I cannot remember any man who had any fault except that of being past his work.

12159. In answer to question (6), dealing with the Provincial Service, after what you have said I think you would strike out the Settlement Kanungos from your scheme?—No; the Kanungos should be eligible for promotion to the post, as they are at present.

12160. Do not you think that would be improving the prospects of these men at the expense of the higher Service?—There will be fewer vacancies for direct appointment.

12161. You would get an inferior set of men? No; much the best Deputy Collectors we have now are those who began as Kanungos.

12162. (*Mr. Sen.*) With regard to question (18) dealing with the Provincial Civil Service, you say, "P.S.—I should perhaps refer here to the system under which Munsifs are deputed to act for two seasons as Assistant Settlement Officers. The system is working excellently and is of great advantage both to the Munsifs themselves and to the Settlement Department." At present they are there for 18 months?—Yes.

12163. Do not you think it would be a gain to the Munsifs themselves and to the Administration if they were deputed for a longer period?—In some cases we have asked for an officer's deputation to be extended; I should like to see longer deputations.

(The witness withdrew.)

Adjourned to to-morrow at 10-30 A.M.

At Calcutta.

Saturday, 25th January 1913.

TWELFTH DAY.

PRESENT :

THE RIGHT HON. THE LORD ISLINGTON, K.C.M.G., D.S.O. (*Chairman*).

THE EARL OF RONALDSHAY, M.P.
SIR MURRAY HAMMICK, K.C.S.I., C.I.E.
SIR THEODORE MORISON, K.C.I.E.
SIR VALENTINE CHIROL.
MAHADEV BHASKAR CHAUBAL, Esq., C.S.I.

ABDUR RAHIM, Esq.
GOPAL KRISHNA GOKHALE, Esq., C.I.E.
WALTER CULLEY MADGE, Esq., C.I.E.
FRANK GEORGE SLY, Esq., C.S.I.
JAMES RAMSAY MAODONALD, Esq., M.P.

And the following Assistant Commissioners:—

CECIL HENRY BOMPAS, Esq., Chairman
of the Calcutta Improvement Trust.

SARODA PRASAD SEN, Esq., Additional
Sessions Judge, Sylhet.
RAI BAHADUR PRIYA NATH MUKHERJI,
Inspector-General of Registration, Bengal.

M. S. D. BUTLER, Esq., C.V.O., C.I.E.

R. R. SCOTT, Esq.

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...

} *Joint Secretaries.*

SIR RAJENDRA NATH MOOKERJEE, K.O.I.E., Merchant and Contractor,
(Firm of Martin & Co.).

Written answers relating to the Indian Civil Service.

12164. (1) What is your experience of the working of the present system of recruitment by open competitive examination in England for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—Yes. It is not perhaps absolutely perfect in theory, but, taken as a whole, it gives more general satisfaction than may be expected from any other system that may be suggested in its place. There is no question that the members of the Indian Civil Service are, taken as a body, good administrators, and zealous and devoted servants of the Crown, and I cannot suggest any other system of recruitment which will give better results.

12165. (3) Is the system equally suitable for the admission of "Natives of India" and of other natural-born subjects of His Majesty? If not, what alteration do you recommend?—The system is obviously not equally suitable and convenient for the "Natives of India" as for other natural-born subjects of His Majesty residing and educated in England. Caste prejudice and the great cost of education in England often stand in the way of meritorious Indian students going to England to try for the Civil Service. The subjects of examination also give a far better chance to an English student than to an Indian of the same intellectual capacity, and perhaps with equal attainments in the field of general knowledge. The alterations I recommend will be found in my answer to question (16).

12166. (4) Do you consider that the combination of the open competitive examination

for the Home and Colonial Civil Services with that for the Indian Civil Service is or is not to the advantage of Indian interests? Please give your reasons?—Practically, it makes no difference, as generally, in any case, the best English students try to get into the Home Civil Service in preference to the Indian Civil Service.

12167. (6) In particular, what would be your opinion regarding a system of simultaneous examinations in India and in England, open in both cases to all natural-born subjects of His Majesty?—I am not in favour of holding unconditional simultaneous examinations in India and England. In my opinion, it is time that the percentage of Indians should be increased to one-fourth of the total number in the cadre of the Indian Civil Service. To make a beginning to recruit that percentage of Indians, I would suggest first to hold an examination as usual in England—say in the year 1915—and supposing the number of vacancies are 80 that year 20 should be reserved for Indians. Of this number, those Indians who pass the examination successfully in England should be taken first. A simultaneous examination should be held in India the next year, along with the examination in England, for the remaining vacancies not filled up by the previous examination in England. Those who succeed in the examination should be sent to England on probation for two years, and join some University and have other practical training, and only on their passing specified examinations and tests satisfactorily, should they be finally appointed in the service. In order to have a guarantee that these men make good use of their time in England, the certificates from the

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Colleges should be much more stringent and detailed than in the case of the students recruited from England. It is absolutely necessary that men who are to occupy the positions of District Magistrates and District Judges should have a training which will enable them to maintain their position and dignity on a footing of equality with their brother European officers. In order to secure the requisite percentage of Indians in the Service, I would prefer to have them educated in England, than to recruit a large number by simultaneous examination in India. To give the Indians a better chance to take part in the administration of their own country, in every respect equal to their European colleagues, I recommend the following:—(i) The Government should increase the number of State scholarships to enable the most brilliant students (who might be too poor otherwise) to proceed to England for the competitive examination. If necessary, a certain number of scholarships should be ear-marked for students intending for the Indian Civil Service. (ii) Provision should be made for the students who fail to come out in the list of required number of vacancies, but are still considered to possess qualifications of a superior order for appointments in the Provincial Civil Service in the higher grade, and in Indian Police, etc. This will encourage meritorious students to proceed to England, and to be more ready to take the risk of failure in the Civil Service examination. (iii) Some modification in the curriculum which will somewhat equalize the chances of Indian students.

12168. (7) What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service cadre by Natives of India, recruited by means of a separate examination in India, or by means of separate examinations in each province or group of provinces in India? If you favour such a scheme, what proportion do you recommend?—I am strongly opposed to any such scheme. This will undoubtedly be against the best interests of the Indians themselves, and is also sure to lower the efficiency of the service; and it is of the utmost importance to keep the standard of efficiency of this service as high as possible. As I have said in my answer to the previous question, training in England is essentially necessary for men who will hold such high posts as District Magistrate and District Judge, etc., either from a social or from an administrative point of view.

12169. (8) If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which Natives of India would be selected in India for admission to the Indian Civil Service by means of (a) nomination, (b) combined nomination and examination, or (c) any other method? If so, describe fully what system you would recommend. In particular, do you consider it desirable that all classes and communities should be represented in the appointments so made? If so, how would you give effect to this principle?—No, for reasons stated in my previous answers. No attempt should be made to reduce the standard of efficiency of the Indian Civil Service, and there should be no distinction in the mode of recruitment between Europeans and "Natives of India."

12170. (9) If you are in favour of a system for the part recruitment of the Indian Civil

Service by Natives of India in India, do you consider that "Natives of India" should still be eligible for appointment in England?—I am strongly opposed to any system for the part recruitment of the Indian Civil Service by "Natives of India" in India, except by simultaneous examination in India and England, as outlined by me in my previous answers. The privilege of being able to appear at the open competitive examination in England should not be taken away from the "Natives of India." This reactionary measure, if ever introduced, is bound to arouse a great deal of discontent.

12171. (10) Would you regard any system of selection in India which you may recommend for young men who are "Natives of India," as being in lieu of, or as supplementary to, the present system of promoting to listed posts officers of the Provincial Civil Service? If the former, what alteration, if any, would you recommend in the conditions governing the Provincial Civil Service?—I am against any system of selection in India for the Indian Civil Service. If, as previously indicated, a system of simultaneous examination is introduced, in my opinion there will be no necessity or justification for promoting members of the Provincial Civil Service in the future to the "Listed appointments ordinarily given to Civilians."

12172. (11) Do you recommend any separate method of recruitment for the Judicial branch of the Indian Civil Service? If so, please describe the system which you would propose?—In my opinion, a separate method of recruitment for the Judicial branch of the Indian Civil Service would be an improvement on the present system. The curriculum of examination should include more of Law, and the system of training should be of a more judicial character than at present; that is to say, they should begin service as Munsifs and should have at least one year's practical training in the High Courts under some arrangement to be made with the Judges. If, however, this suggestion is not feasible or acceptable, the candidates before entering service should be given their choice between the Executive and Judicial branches as far as practicable, and those who elect the latter should be required to be called to the Bar during their probationary period in England, and on entering service should begin in the Judicial Service.

12173. (12) If the system of recruitment by open competitive examination in England is retained, state the age-limits that you recommend for candidates at such examination, giving your reasons?—The present age-limits from 22 to 24 appear to be suitable. It is suitable to Englishmen, because it allows them time to finish their University career and then go in for the examination. It is equally suitable for "Natives of India," as it would enable them to take their University degrees in India, and then proceed to England for a course of special training for the Civil Service examination.

12174. (13) What in your opinion is the most suitable age at which Junior Civilians recruited in England should commence their official duties in India?—Between 23 and 25 is a suitable age, at which Civilians should commence their duties in India.

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[continued.]

12175. (15) What age-limits for the open competitive examination in England would best suit candidates who are Natives of India, and for what reasons? Do you recommend any differentiation between the age-limits for Natives of India and for other natural-born subjects of His Majesty?—First part of the question is answered in question (13). There should not be any difference between the age-limits for "Natives of India" and other natural-born subjects of His Majesty.

12176. (16) What alterations, if any, do you recommend in the authorized syllabus of subjects and marks prescribed for the open competitive examination?—I recommend the following additions to the syllabus of subjects:—(i) Indian History, both ancient and modern. (ii) Hindu and Muhammadan Law. I suggest the following alterations in marks:—500 marks each for both Modern and Indian History; 500 marks each for Hindu and Muhammadan Law. Latin, Greek, Sanskrit and Arabic should have equal marks.

12177. (17) Is any differentiation in the subjects for the open competitive examination in England desirable between candidates who are Natives of India and other candidates? If so, state them and give reasons?—I am not in favour of any differentiation of any kind between Indian and English and others, for the examination.

12178. (18) Do you consider it necessary that certain posts should be reserved by statute for officers recruited to the Indian Civil Service, and, if so, what posts and for what reasons?—I do not at present recommend any change in the existing system.

12179. (19) Do you consider that a minimum proportion of Europeans subjects of His Majesty should be employed in the higher posts of the Civil Administration? If so, to what proportion of the posts included in the Indian Civil Service cadre do you consider that Natives of India might, under present conditions, properly be admitted?—I do not think the time has come when a minimum proportion can be fixed. If suitable and qualified "Natives of India" are available both from social and administrative points of view, 15 to 20 per cent. of them may be admitted into the posts of the Indian Civil Service cadre. In my opinion, the social side of the question should not be overlooked. Unless a "Native of India" can mix with his European colleagues socially on an equal footing, he will have to work under a great disadvantage, and should not be appointed merely for his other attainments. I further suggest that before a subordinate officer from Provincial or other services be promoted to an administrative post of the Indian Civil Service cadre, he should be compelled to take at least a year's furlough and spend his leave in England, under the supervision and direction of the Secretary of State for India before joining his post.

12180. (20) Do you accept as generally satisfactory in principle the present system under which Natives of India are recruited for posts in the Indian Civil Service cadre partly through the medium of an open competitive examination in England, and partly by special arrangement

in India?—Yes, provided the conditions stated in my answer to the previous question are fulfilled.

12181. (21) Do you consider that the old system of appointment of "Statutory Civilians" under the Statute of 1870 should be revived, and, if so, what method of recruitment would you recommend?—No. As far as I am aware, Statutory Civilians, with very few exceptions, did not prove satisfactory.

12182. (22) If the system of recruiting military officers in India for posts in the Indian Civil Service cadre has been stopped or has never existed in your province, would you advise its reintroduction or introduction, as the case may be, and if the system should be introduced or reintroduced, to what extent, in your opinion, should it be adopted?—No.

12183. (23) Do you consider that such a system should be restricted to the recruitment of military officers, or extended to the recruitment of selected officers from other Indian services?—No.

12184. (24) What is your opinion of the system by which certain posts, ordinarily held by members of the Indian Civil Service, are declared to be posts (ordinarily termed listed posts) to which members of the Provincial Civil Services can properly be appointed?—Specially deserving and meritorious officers from Provincial Civil Services may be promoted to the "listed posts" provided the conditions stated in my previous answers are fulfilled. The present method is not very satisfactory and not desirable.

12185. (25) Are you satisfied with the present rule which prescribes that Natives of India, other than members of the Provincial Civil Services or Statutory Civilians, may be appointed to one quarter of the listed posts?—Yes, provided qualified "Natives of India" are appointed as stated above.

12186. (26) Are you satisfied with the system by which most of the inferior listed posts are merged in the Provincial Civil Service?—Yes.

12187. (27) Is the class of posts listed suitable? If not, in what directions would you suggest any changes, and why?—Yes.

12188. (28) Do you consider that candidates recruited for the Indian Civil Service by open competitive examination should undergo a period of probation before being admitted to the service?—Yes.

12189. (30) If so, how long, in your opinion, should this period be, and what course of study should be prescribed for the probationers?—Two years. Question of study should be decided according to which branch of the service, Judicial or Civil, he takes up.

12190. (31) Do you consider that any differentiation is necessary between the course of study for probationers who are Natives of India and the course prescribed for other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend?—No.

12191. (32) Do you consider that the probationer's course of instruction could best be spent in England or India? Is your answer equally applicable to the case of Natives of India and of other natural-born subjects of His Majesty?—For all natural-born subjects of His

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Majesty one year should be spent in England and, after the candidate passes his special examination during his probationary period, he should be sent to India to spend another year of probation here. "Natives of India" should spend two years of probation in England.

12192. (33) Do you think it desirable to start, at some suitable place in India, a college for the training of probationers of the Indian Civil Service, and possibly of other Indian Services recruited in England?—No; I am not in favour of such a scheme.

12193. (34) Do you think it desirable that each Provincial Government should arrange for the training of probationers by suitable courses of instruction for the whole or portions of the first two years of service at some suitable centre?—I am in favour of some arrangement for imparting more systematic training to a Junior Civilian (Executive branch) in the first two years of his services than he receives at present, under an experienced Collector who has shown marked sympathy towards "Natives of India." It is necessary that junior officers should learn to respect Indian religious feelings and sentiments, and they should be made to realize that their prospects and promotions not only depend on their abilities as administrators, but on cultivating good and friendly relations with the people among whom they will have to move. They should also give more attention to learn the language of the province.

12194. (36) Do you consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service? If so, what are the causes? Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages, and, if not, how could this best be remedied?—It is difficult to make a statement on this point with any certainty. But the general impression is that the Civilian of the old generation knew the language of the country better and were more in personal touch with the people. The average number of the members of the Indian Civil Service do not attain an adequate proficiency in Indian languages. The present system of examination is defective. The examination should be carried on on University rules, i.e., by examiners who are "Natives of India" having proficiency in their own languages. And in giving promotions, proficiency in Indian languages should carry greater weight.

12195. (40) Is any differentiation desirable in a system of training after appointment in India between members of the Indian Civil Service who are Natives of India and other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend?—No.

12196. (42) Is any differentiation necessary in regard to the probation and training of members of the Indian Civil Service who are Natives of India as between persons of unmixed Indian descent, of mixed European and Indian descent, and of unmixed European descent? If so, please state your proposals?—No.

12197. (45) Do you consider that the exchange compensation allowance introduced in

1893, eligibility for which depends on nationality or domicile, should be abolished, and, if so, under what conditions? Should such abolition apply to officers already employed or be restricted to further entrants?—Exchange compensation allowance should, in my opinion, be abolished, but as the cost of living in India has gone up the salaries of all officers should be somewhat increased, irrespective of nationality and domicile.

12198. (47) Turning now to the case of the Statutory Civilian and officers of the Provincial Civil Services holding listed posts, do you approve of the arrangement by which they draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various grades of the service?—In my opinion, there should be no difference, especially in consideration of the restriction suggested by me in obtaining these posts.

12199. (50) Please add such other remarks as you may desire to offer on any point relating to the conditions of service, salary, leave and pension in the Indian Civil Service?—The following points are, in my opinion, worthy of consideration for the efficient administration of districts:—(i) Promotions to the posts of Collectors and Commissioners should be after careful selection—seniority *alone* should not entitle officers to these appointments. Officers who have shown decided cordial feeling towards, and sympathy with, "Natives of India" should have preference. (ii) Comparatively junior officers should not be made either Collectors or Judges unless they possess exceptional tact to deal with Indians, and exceptional merit justified such appointment. (iii) District officers should be kept in a district for at least three years. (iv) Indian District Magistrates or Judges should not, as is now generally the case, be posted to an unimportant district and grouped together. There has been a tendency to place only Indian officials in districts of which the District Magistrate is an Indian. This is an invidious and unjustifiable policy. It creates discontent and gives an impression that the Government do not wish to see Indians exercise authority over European officers as far as this can be managed. The growth of such a feeling is against the best interest of the Government and the people. My object in giving special stress about not to appoint or promote any "Native of India" to the listed posts of the Civil Service cadre, unless he proves socially fit to mix and move with his European officials on equal footing, is to avoid such grouping of Indian officials together.

Written answers relating to the Provincial Civil Service.

12200. (51) Please refer to Government of India Resolution No. 1056-1058, dated the 19th August 1910, defining the general conditions which should govern recruitment to the Provincial Civil Service, and reproduced as Appendix A. Are these conditions suitable, or have you any recommendations to make for their alteration?—In my opinion half the appointments to the Provincial Civil Service should be thrown open to public competition, and half by nomination according to the present rules.

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12201. (53) Do you consider that recruitment for a Provincial Civil Service should ordinarily be restricted to residents of the province to which it belongs?—No, provided the candidate satisfactorily passes an examination showing that he has thorough knowledge of the vernacular, and is able to write it and also read written characters with facility.

12202. (54) Are all classes and communities duly represented in your Provincial Civil Service? Do you consider that this is desirable, and what arrangements do you recommend to secure this object?—Yes, as far as possible, keeping the standard of efficiency in view.

12203. (55) Are you satisfied with the existing arrangements for the training and probation of officers appointed to the Provincial Civil Service? If not, please state your objections, and what other arrangements you recommend?—Yes.

12204. (56) Do you consider that the numbers of officers authorized for the various grades of your Provincial Civil Service are satisfactory? If not, please state your views?—The number of higher grade appointments should be increased. According to the present system, it takes a Munsif nearly 24 or 25 years to rise to the post of a Subordinate Judge, and 30 years before he gets to the top of his service. Similarly a Deputy Magistrate does not ordinarily get promotion to the higher grades until he is over 50.

12205. (58) Are you satisfied with the present designation "the Provincial Civil Service?" If not, what would you suggest?—Yes.

12206. (59) Do you accept as suitable the principle recommended by the Public Service Commission of 1886-87, and since followed, that the conditions of the Provincial Civil Services as regards salary should be adjusted by a consideration of the terms necessary to

secure, locally, the desired qualifications in the officers appointed? If not, what principle do you recommend?—In my opinion salaries of officers in the Provincial Civil Service should not be adjusted according to the market value, as is ordinarily done in commercial circles or ordinary departmental clerks. These posts in Provincial Civil Services carry with them certain prestige and dignity, and to maintain them a larger income is necessary than is ordinarily the case with commercial or departmental clerks. Having regard to the fact that the cost of living has gone up tremendously within the last few years, and mode of living undergone a change for the better, it is difficult for, say, a newly-appointed Deputy Magistrate receiving a pay of Rs. 200 per month to make both ends meet. For these considerations, and to keep these young men from temptation, the scale of pay should be increased. This scale of pay should be fixed in each province according to the cost of living in that province.

12207. (62) Have you any proposals to make with regard to the leave rules applicable to the Provincial Civil Service? In particular, do you regard the existing differences between the leave rules for the European and Indian Services as suitable?—First part, no. Second part, yes.

12208. (63) Are you satisfied with the present system of superannuation pensions for officers of the Provincial Civil Service? If not, please say what modifications you would suggest, and on what grounds?—Yes.

12209. (64) Are you satisfied with the existing organization of the Provincial Civil Service? If not, please state what alternative organization you consider desirable, and explain fully your views, making any suggestions that appear to you to be suitable?—Yes.

SIR RAJENDRA NATH MOOKERJEE, called and examined.

12210. (Chairman.) Will you be good enough to tell us what position you occupy?—I am senior partner in the firm of Messrs. Martin & Company.

12211. What public positions do you fill in Calcutta and elsewhere?—Not many. I am only Trustee of the Calcutta Improvement Trust, Fellow of the Calcutta University, a Member of the Governing Body of the Civil Engineering College at Sibpore, and Trustee of the Indian Museum, Calcutta.

12212. In answer to question (6), you say you are not in favour of holding unconditional simultaneous examinations in India and in England, and I infer from subsequent remarks in that answer, that you hold this opinion on the ground that a substantial proportion of Europeans should be retained in the administration?—Yes.

12213. And you suggest a scheme under which the number of Indians admitted to the service would be limited to one-fourth of the whole?—Yes.

12214. You would like, if you could, to avoid simultaneous examinations, if you could realize your object at the examination in England?—Yes.

12215. You set great store by all Indians having a thorough English training?—Yes.

12216. I will take you through your remarks in answer to question (6). First, you would hold an examination, which you place hypothetically in 1915, in England?—Yes.

12217. Assuming there were 80 vacancies, you would allow 20 of those vacancies to be reserved for Indians?—Yes.

12218. Am I to understand that only those Indians who came out successfully in that 80, would be regarded as the successful candidates in that examination?—Yes. There should be one examination, and those who came out successfully in the list, if they were 20, should get it. I did not mean to suggest that 25 per cent. should be limited to Indians, whether they competed successfully or not. I would give an opportunity to Indians who could not go to England for other reasons to appear at the examination, and, in my opinion, there would not be more than 25 per cent. passing for the next few years to come.

12219. So that under your scheme those who were unsuccessful in 1915 would enter for a separate examination in India—the competition to be exclusively amongst Indians?—Not a

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separate examination, but the same examination. The examination held in England the next year, should be held in India also, and the result would appear in the same list—everything the same, only you give a chance to Indians who cannot now go to England, to appear at the same examination in India.

12220. You suggest as an alternative, or as supplementary to that scheme, Government scholarships. Which of the two would you prefer?—I should prefer that, instead of having a simultaneous examination here, the Government should increase the number of scholarships, and send meritorious boys to England to pass their examination there.

12221. How would you arrange your scholarships; by provinces?—I have not thought out the details; but there should be an examination held in India, at some central place, where all students may appear; and if they passed that examination they may be sent in order of merit to England on their scholarships. There should be one central place where the examination in India should be held, and not in special provinces.

12222. I presume that the scholarships which you would grant would enable the candidates to go to England prior to examination, in order to get a training there, for two or three years?—Yes.

12223. You also suggest, in reply to question (19), that if suitable and qualified "Natives of India" are available, both from social and administrative points of view, 15 to 20 per cent. of them may be admitted into the posts of the Indian Civil Service cadre. Is not this rather a modification of your former proposal?—I meant that 15 to 20 per cent. of the one-fourth might be appointed here.

12224. In reply to question (10), you say "I am against any system of selection in India for the Indian Civil Service. If, as previously indicated, a system of simultaneous examination is introduced, in my opinion, there will be no necessity or justification for promoting members of the Provincial Civil Service in the future to the 'Listed appointments ordinarily given to Civilians.'" But then, in reply to question (24), you say, "Specially deserving and meritorious officers from the Provincial Civil Service may be promoted to the listed posts provided the condition stated in my previous answers are fulfilled." You would still promote the Provincial Service officers to listed posts?—I have said that specially meritorious men may be promoted to those posts, subject to that condition, as I have stated before.

12225. So that you do not advocate the entire abolition of the listed posts system?—Not entirely. But they should be sent at least for one year to England before they take up such responsible posts out here.

12226. Would you include those who are appointed to listed posts in the one-quarter, or would they be in addition to the one-quarter?—No, within the one-quarter.

12227. Then you suggest that before appointment you would make the candidates go to England for a year's probation?—Yes.

12228. Would you suggest that they should be paid a salary during the time they were in

England on probation?—I would suggest that they should be paid the same salary as they were receiving here.

12229. You also suggest that those Indian candidates who fail at the Indian Civil Service examination should be appointed to the highest grades of the Provincial Civil Service?—To the higher grades of the Provincial Civil Service.

12230. Will not that cause a certain amount of discontent amongst members of the Provincial Civil Service, especially in the lower grades?—At the same time, it would relieve a certain amount of discontent which exists amongst some of those boys who now go to England at an enormous expense, and who, after they have failed to get into the Civil Service, come out here and get nothing to do.

12231. You see great advantage in giving them an opening which has hitherto been denied to them?—Yes; and I consider that they will be better men here in the Provincial Service than men who are recruited from here only, because their education would be much higher than those who have taken the Provincial Civil Service here.

12232. You recommend two years' probation, the second year of which is to be spent by European recruits in India. Would that be in addition to the two years' training, or part of it?—For Europeans I suggest that one year should be spent in England, and one year in India; and for Indians I suggest that two years must be spent in England.

12233. We have had a great deal of evidence from experienced witnesses who have pointed out that one year's probation has not been sufficient?—I do not know that for Englishmen the one year in India would not be very desirable. I think it would be desirable for them to come to India.

12234. You think that the extra year in India would be of great service to Europeans?—Yes, I think so.

12235. In order that they may learn the customs and manners of the country before they enter upon their work out here?—Yes.

12236. I understand that you are the head of a large and prominent firm of engineers and contractors?—Yes.

12237. And I suppose that, in that capacity, you are constantly employing a very large number of hands on many of your works?—Yes.

12238. Does your staff consist exclusively of Indians?—No, it consists of Europeans and Indians.

12239. How many Europeans have you now on your staff?—I have got now 50 on my staff—officer grades—with pay from Rs. 500 to Rs. 2,000.

12240. How many permanent Indians have you now on your staff?—I have got 500 Indians on my staff.

12241. Do you ever employ Indians as engineers or chief supervisors of works?—Yes, sometimes.

12242. Do you put them at the head of the whole business and leave them in entire control?—No. I do not put them at the head of the business or in entire control.

12243. Am I to infer from that that there is always a European over them?—In the case of a very big concern there is always a European at the head of it.

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12244. Do you ever employ an Indian chief engineer with European subordinates under him?—Oh, yes; we have got an Indian over European subordinates.

12245. And do you find that the Europeans and Indians, when they are brought into such a relationship, work together in harmony?—Not in every case.

12246. Does this difficulty lead you to avoid the practice as much as possible?—For commercial purposes I try to avoid that, unless it is an exceptional case.

12247. I asked the question especially because in your replies you have laid very great stress upon young European officials being placed in districts where their superior is an Indian. Your own business experience would, however, appear to point to an opposite conclusion?—I have not got that class of Indians in my own case. I am head of the firm, and I have 50 Europeans of the officer grade, besides about two or three hundred Indians. I have never found any difficulty in controlling them. If I may be allowed to say so, not only do I not find any difficulty with regard to the Europeans, but I am held in the highest regard by them all.

12248. What salaries do you pay to Indians who are in charge of large works?—Rupees 200 to Rs. 400. That is all the Indians I have now. I have one at Rs. 500. They are all trained in India. Their mode of living is not like that of Europeans. Those are the difficulties. That is why I lay so much stress upon the social side of the question. I have got an Indian in my office who was educated at Cambridge. He is at the head of a department now, and under him there are several Europeans, and there is no complaint in any way.

12249. You infer from that that if you could give Indians a good English training they would be able satisfactorily to control Europeans?—Yes.

12250. You say you have got one instance now?—I have got two. My son is a case in point. He is in the firm. He was educated at Cambridge, and he is at the head of many Europeans now. I have got another man who is also in a similar position so far as having Europeans under him is concerned.

12251. Could you tell me what training your Indian engineers have had before joining your firm?—They have been either at the Engineering College at Calcutta, or at the Poona Engineering College, or at the Roorki Engineering College.

12252. And they have taken degrees in one or other of these colleges?—Yes.

12253. Is your firm managed by a board?—No; it is not a Limited Company. We are four partners in the firm, and it is managed by ourselves.

12254. Are you all Indians?—No. There are three Europeans, and one Indian. I am the only Indian.

12255. (Sir Murray Hammick.) With regard to your answer to question (6) with reference to these scholarships, what is your idea about the age at which you would give these scholarships?—They must have two years before they appear at the Civil Service examination.

12256. If the Civil Service examination limit is 23 years now, the men should be sent when they are 21, and you would give the scholarships at from 20 to 21?—Yes, so that they have two years' training in England at one of the Universities before they appear at the Civil Service examination.

12257. The young men you would send with these scholarships would be men who have already been through the University in India?—Yes.

12258. And you would send them home for a couple of years?—I would send them home for a couple of years.

12259. I suppose there would be a large number of these scholarships according to your proposal?—Yes, a good number—about 40 or 50.

12260. With regard to the Europeans you have in your service, at what age would most of them come out to India?—They would come out to India at 25, 27 or 28.

12261. I suppose all of them are experts in special subjects, that is to say, they are all engineers?—No. Our firm is not only an engineering firm, but it is a commercial firm, too.

12262. Some of these men are not engineers—they are commercial men—is that it?—Some are accountants and some are ordinary business men. We have got a branch office in London, and some of the men go there first, and if they show ability there, they are sent out to India under an agreement.

12263. How often do you yourself go to England, as a rule?—For the last few years I have been going to England every other year.

12264. In answer to question (30) you say, "The question of study should be decided according to which branch of the service, Judicial or Civil, he takes up". Apparently you think that the Civilian who come out for the Judicial service should at once take up work as Munsifs?—Yes, something like that.

12265. Do you not think that the three, or four, or five years' training which the Judge gets now as Assistant Collector, or Assistant Commissioner, or whatever he is called in Bengal, up-country, is of considerable use to him?—Yes. But there is this defect, that if one finds that he has a prospect in an Executive branch he will never go to the Judicial line. The result is, so far as my observation goes, that men who are sent to the Judicial line are not the best men for the service.

12266. That is what you have noticed in Bengal?—Yes.

12267. You would sooner see those Civilian who come out and go into the Judicial service at once go in as Munsifs?—I should like to see a separate examination for the Judicial men. In that respect I may add, if I may be permitted, that you will find a lot of Indians would prefer to go to that line, as they could pass into the law better, and that would relieve the Government from putting too many Indians into the Executive service.

12268. You think the Indians would naturally tend to go towards the Judicial side rather than the Executive?—Yes.

12269. (Sir Valentine Chirol.)—In connection with your work, you say that you bring out.

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a number of Europeans to work in your firm. Are those Europeans that you bring out in any way prepared for Indian life before coming out?—No.

12270. When they come out, do you send them straight away on some job up-country?—No, we keep them in the head office here first for a few years.

12271. Do you take any trouble in order to adapt them to the new conditions and to make them familiar with their new surroundings?—Being in our head office, and there being so many Indians, and I also being at the head of the department, they have to adapt themselves to the way of treating Indians properly; otherwise they know their prospects will be limited.

12272. Have you experienced any difficulty in the matter?—Sometimes I have brought men out—I can mention two or three cases—who have been so bad that I have had to send them back again.

12273. I should like to hear your views a little more fully than you gave them to the Chairman with regard to what seems to be a very important aspect of your proposal. If the system of simultaneous examination which you propose is adopted, I understand you to say that you are willing to see the system of promotion of Provincial Service men into what are called the listed posts, in a very great measure abandoned. Would you make it quite an exception?—Yes.

12274. On the other hand, you propose to bring into the Provincial Service a certain proportion of candidates who have gone up for the Civil Service and have failed. Now, have you fully considered the effect of those changes upon the Provincial Service?—I do not think there will be much.

12275. After all, entirely apart from the question of proportion of Europeans to Indians in the Civil Service, do not the changes which you propose tend to produce a deeper line of cleavage than ever between the Provincial Service and the Civil Service?—I do not understand your question.

12276. Putting aside the question of the proportion of Europeans and of Indians in the Civil Service, you have, and will have, to provide a considerable Provincial Service for the future just as you have now; and, as I understand you, the effect of your changes must surely be to produce a deeper and more insurmountable line of division between the Civil Service and the Provincial Service than now exists?—I do not see that. If my system is adopted there may be four or five, at the utmost, a year who will come out well, but who do not get into the Service because they are a few marks below the necessary number. My assertion is that those efficient four or five should be given some sort of service here in the higher grades of the Provincial Service. I do not think that will materially alter the present condition of the Provincial Service. In fact, these men, having had a better education, will be able to hold the posts better; and they may be promoted to those listed posts afterwards.

12277. You propose to reserve very few listed posts?—I say, that if you give 25 per cent. to the

Indian Civil Service, then the listed posts will naturally disappear.

12278. Surely it is admitted that the existence of those listed posts, and the possibility of being promoted to them, constitutes at the present time a material incentive to the Provincial Civil Service; in fact, the grievance of the Provincial Civil Service is that there are not enough of those listed posts open. Is not that so?—Yes. They should be increased. But the efficiency of the service would surely be increased if those men who failed at the Civil Service were appointed to the provincial higher grade service.

12279. You want to preserve a fairly high standard amongst the Provincial Service, which will still have very important duties to discharge in this country?—Yes.

12280. And at the same time you propose to withdraw from them, by abandoning, with a few rare exceptions, the listed posts, the chief prizes now offered to the Provincial Service; and besides that, you propose to bring in from the top, men who failed for the Indian Civil Service. Do you think it possible, under those conditions, that the standard of the Provincial Service will not be depressed?—Their service should be improved by increasing their pay. That is all I can say.

12281. (*Mr. Madge.*) Have you ever considered the problem of the supplementary test of character that would make up for whatever may be wanting in the pure literary competitive examination, whether as regards Indians or Englishmen?—That will open the door to jobbery. I do not advocate that by nomination, or anything.

12282. I do not suggest nomination. I asked you whether you had thought of any test of character of any other kind?—No. I have not thought of it.

12283. From what you have said about retaining three-fourths of the appointments in British hands, and of sending Indians who pass in this country to England, I should gather that you would like to preserve the English tone of administration?—Yes.

12284. Do you think that Indians generally choose the Judicial line?—No; they do not. There is not much prospect in that.

12285. When you said that Civilians, of what you consider an inferior stamp, choose the Judicial line, you meant all Civilians, British as well as Indians?—Yes.

12286. In answer to question (10) you have said that in your opinion "there will be no necessity or justification for promoting members of the Provincial Civil Service in the future to the listed appointments ordinarily given to Civilians". One of the things necessary in your office is character; and that does not depend, does it, upon either education, or even going to England; there have been Indians of the highest possible character? Do you not think that in the Provincial Service these may be developed from all races—Indian, Anglo-Indian, and English—that kind of character which would awake the confidence both of the Government and of the people, and entitle these men to rise as high as they could in the Service?—I have said that in special cases they may be promoted; meritorious

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cases; but I laid down a condition that they should be sent to England for one year.

12287. You think that unless they went to England, no matter what their character was in this country, it would not be the right thing just to promote them?—There may be exceptions in everything. As a rule, however, unless they move socially in the same atmosphere with Europeans they will not carry the same amount of respect and prestige.

12288. Would they not possess all the confidence of their own countrymen, and of the Government which employs them?—Our countrymen follow the example of the Government and of Europeans. When they see how Europeans regard those who have been to England,—moving with them socially,—the people follow them.

12289. Would that not be a confession of weakness of character?—Amongst the populace, yes. Nine-tenths are uneducated people, and their character is simply to see what Europeans do.

12290. You have referred to your firm as a commercial firm. In that respect you have a large stake in this country?—Yes, in some sense.

12291. And in that respect you are much the same as a number of European firms?—Practically my firm is a European firm, with the exception of myself, who am an Indian.

12292. I mean that undoubtedly. Do you think now, if any changes, say, in the manning of the Civil Service which led to any change in the administration of the Government, were made, that that would affect that public confidence in the Government which encourages capitalists?—Probably, I take it, the European public and the Indian public. If you increase the number of Indian Civilians, naturally the European public would feel affected so far as they were capitalists. That is why I made a limit; that at present there should not be more than 25 per cent. of Indians in the Civil Service.

12293. That means that the British tone of the Government ought to be retained as far as possible?—Certainly. If the change is ever introduced it should be gradually introduced, and not by a jump. If it were introduced suddenly it would cause great uneasiness among the European community.

12294. You say "gradually." Would you make that word include any number of years, or would you rather not fix a period?—When the 25 per cent. is arrived at, and Europeans find that the Indians are all right, and that they are doing good work, then the Government will be prepared to increase the number to one-third.

12295. You would wait and see?—Yes.

12296. Have you any large number of either domiciled Europeans or Anglo-Indians in your service?—Not many. I have some, but not in the higher grades.

12297. Are any of them engineers?—Yes; but, as I said, not engineers in charge of a work.

12298. These men have been educated in Calcutta, Poona, Sibpore and Roorki?—Yes.

12299. Do you think that their comparative inferiority to men brought up at home is owing to defects in the training at these institutions, or

owing to defect of character?—Owing to defect of the training which is to be had in India.

12300. Is it your frank opinion that the training in all these institutions ought to be raised?—Yes.

12301. Do you not think that they ought to be raised to a perfect equality with the English training institutions?—I have been saying that for some years past.

12302. Do you say that with a kind of hope that all men, Indians, Anglo-Indians, and others, trained in this country, may stand on an equal footing with scientific men brought out from home?—Yes.

12303. (Mr. Macdonald.) You say you employ both Europeans and Indians in your firm?—Yes.

12304. Is any class of appointment reserved exclusively for Europeans?—No. We get hold of the best men we can get.

12305. You do not make a practice, do you, of taking in Europeans to fill up certain positions?—No.

12306. Do you employ Indian students from the University at all, say, in your scientific work?—Yes, Indians from scientific and engineering colleges, not from Universities.

12307. You do not employ University men?—No.

12308. You cannot tell me whether the desire to enter Government Service limits the supply of students who would go in for commerce otherwise?—Certainly: the hankering after Government service is very great.

12309. They hanker after Government Service?—Yes.

12310. Would you say that they are more anxious to get into Government Service than to join the Bar?—Government Service comes first, then the Bar and, lastly, commerce.

12311. And commerce, as I understand, is a very bad third?—Yes.

12312. Very far down?—Yes.

12313. You say that you had some difficulty with a mixed staff?—Yes.

12314. Can you tell us what sort of difficulties you have had?—Once I had a chemist, an Indian, who had passed from an English University. I sent him to our iron works at Kulti. All the other men there, 50 in number, were Europeans. But this Indian, notwithstanding his ability as a chemist, could not live there on account of the bad feeling created between the Indians and Europeans; and ultimately he had to resign.

12315. That was the sort of thing you had in mind when you answered the Chairman about the difficulties?—Yes.

12316. With reference to your ideas about simultaneous examination and your own special scheme, I want to try and get my mind clear as to what your intention is by your scheme. You want the Europeans here to feel quite confident in the character of the Government?—Yes.

12317. And in order to do that, you tell us that there must be a certain European nucleus?—Yes.

12318. But you also want to improve the efficiency of the Indian officer?—Yes.

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12319. Is it your opinion that so long as examinations are confined to England you do not get the same quality of Indian candidate which you would get if the field were made wider by examination held in India?—I do not know about quality. We do not get sufficient numbers, I said.

12320. Do you think that good men are kept out of the service because they have to go to England to pass into it?—Yes, many.

12321. But you would not say, as a witness yesterday said, that there are better men at home because they are poor and cannot go to England, and who would like to get into the service, but who cannot get in on account of the expense?—There are equally good men who cannot go to England on account of the expense.

12322. So that your idea is that you would widen the field from which the Indian competitors are to be drawn?—Exactly.

12323. Am I right or not in assuming that you did not dissociate from your opinions their political value?—No.

12324. In fixing up a scheme for recruitment of public servants in India, you have got to remember—this is your view, is it not—the political effects?—Certainly.

12325. If you have a large number of men who feel that they are entitled to have a chance in an important examination, and they have not that chance, that is one of the causes of political and social unrest, is it not?—Yes.

12326. Yesterday we had evidence which went upon this line, that because there is an unusual amount of unrest, or because there has been an unusual amount of unrest, therefore we should make no changes so far as recruitment is concerned. Do you take that view?—No, absolutely.

12327. As I understand your evidence, you take exactly the opposite view?—Yes.

12328. Your view is that this unrest arises from certain political causes, and some of those causes at any rate, would be removed if the door were thrown open?—Absolutely.

12329. I wish to be quite sure and get it on the record that that is your view. Now with regard to your scholarships scheme, would not that be an extra inducement for men to enter the Government service?—Yes. Personally, I attach more value to men who come to the commercial side and develop industry. My object in saying that is that there is a certain amount of discontent now that our countrymen cannot get sufficient number of posts in Government service. To allay that discontent, I said, and I suggest, that better facilities should be given to them. There is a sign now of the industrial movement in India improving; and I believe that intelligent men will come into business concerns; but unless industry is more developed the men will try to go into Government service. I hope, and I am sure that the time will eventually come when men will prefer going into the industrial side, rather than going into Government service.

12330. Do you bring out any of your Europeans under agreement?—Yes.

12331. Does that agreement specify their salaries?—Yes.

12332. And their leave?—Yes.

12333. How does their leave compare with the leave granted to Civil Servants?—We give better terms because we do not give any pension. In my firm they are entitled to go to England on six months' leave after five years' service, some on full pay. Their passage is paid both ways.

12334. First class or second class?—First class.

12335. That would be in the case of superior Europeans, I suppose?—Those who are drawing over Rs 400.

12336. Do you insist upon their taking a holiday every year?—They take ten days or fifteen days' holiday and go to the hills.

12337. Those ten or fifteen days are not separate holidays: they are a block of time; is that so?—Yes.

12338. Do you insist upon their taking that ten or fifteen days' holiday?—It is according to their health. Generally we prefer that they should go away for ten or fifteen days once a year—going to the hills.

12339. Would you allow a man occupying a responsible position in your firm to work for three or four years without a break?—No.

12340. You do not allow it?—No; we do not allow it.

12341. Do you think it is a good thing for Government to allow its servants to do it?—It is not good, because they cannot work.

12342. (*Mr. Sly.*) Can you kindly give us some idea about the comparative prospects in regard to pay between Europeans employed in your business firm and the Indian Civil Service. On what pay do you recruit your European assistants?—Ordinarily, if they are not professional men like accountants or clerks, we used to give them Rs. 300; but since there has been a rise in living we are obliged to allow them to begin at Rs. 400. They go up to Rs. 1,000, and Rs. 1,200.

12343. After how many years' service?—Every five years there is an agreement, and with each agreement they get a further increase.

12344. What are the terms of the first agreement?—Rupees 400 to 600. After five years, if they are good servants, they get Rs. 700 rising to Rs. 800 or Rs. 900. After another five years they go up to Rs. 1,500. As they go up higher and get more useful we give them more pay. We do not, as a rule, go by actual calculation, or anything like that. If a man is useful we make him content, and we give him as much pay as we can.

12345. Can you give us any comparison between the ultimate prospects of the European who enters business in Calcutta, and the European who enters the Indian Civil Service? Who has the best ultimate prospects?—In our firm, so far as the engineers are concerned, they not only get their pay, but when they have got eight or ten years' service they get a share in the profits, which, in the case of one man, at any rate, who has a record of 15 years' service, brings his income to over Rs. 3,000 a month. A man may rise to the position of a partner if he is an

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especially good man. He comes to be a partner gradually.

12346. The Indian Civil Servant retires from this country on an annuity of £1,000—all of them, no matter how they have done, good or bad, successful, or unsuccessful. Have the Europeans who come out into your firm, when they retire from business and go back to England, sufficient funds saved in order to give them an income of about £1,000 a year?—Yes, some: if they are of a saving disposition. I may mention that we have a Provident Fund in connection with our firm. A certain amount of pay is deducted, and we add as much as what they pay. The amount accumulates, and on retirement a man has a good lump sum to take away with him.

12347. A sum which you imagine produces £1,000 a year?—Yes, with their savings, and all that, after twenty years' service.

12348. Would it probably average £1,000 a year?—Yes. I should think so.

12349. With regard to your scheme for simultaneous examination, in the example you give you propose that 20 vacancies should be recruited for in India out of 80?—Yes.

12350. If the Indians are not within the list in accordance with the order of merit, they will not get that 20?—No.

12351. I want to be clear about this. On the other side, there are more than 20 Indians included high up in the order of merit above the English candidates? What would you do with those?—I do not anticipate that they will get more for years to come; but if they do come, of course, that will have to be decided. I cannot say.

12352. Your examination presupposes 20 vacancies in India?—Yes.

12353. If there were more than 20 Indians who qualified in order of merit, what then?—I cannot tell; but I do not think it will come for some years. Nowadays we send the best boys to England to pass the Civil Service examination, and many of them fail after they have passed M.A. here.

12354. In answer to question (6), you suggest, do you not, that the percentage of Indians should be increased to about one-fourth of the total number?—Yes.

12355. Will you kindly tell us on what basis you fix that one-fourth? What are the reasons in your own mind which induce you to fix that percentage of one-fourth?—My object in fixing that percentage is that it will allay the unnecessary fears which already exist in the minds of the European community here. If the limit is fixed, there will be no cause for discontent. But if the European community is again discontented, as they were before, it will be a very bad thing for the development of the commercial industry of India.

12356. You think that three-fourths would be ample to allay that feeling?—Yes. It will be gradual. I anticipate that the one-fourth will come within eight or ten years. It will come gradually. If the Indians do good service, the Europeans will see no objection to them.

12357. Does that one-fourth proportion represent Bengal or the whole of India?—The whole of India.

12358. Does it include Burma?—I have not taken Burma into my consideration.

12359. In answer to question (11) you have suggested a separate method for recruitment in the Judicial branch of the service?—Yes.

12360. You suggest a separate examination?—Yes.

12361. You do not support any scheme for recruitment of the Judicial service from the Bar?—It might be done in some exceptional cases, but not many.

12362. You would prefer a separate recruitment by competition from the Bar?—Yes.

12363. Can you tell us your reasons for that answer?—As I told you, there is now a feeling that Civilian Judges are not as competent as Barrister Judges, because they do not know law as much as the others do. I am not a lawyer myself, and I cannot tell you exactly; but that is what the actual feeling is. Therefore, if you have a separate examination for the Judicial branch, that complaint must disappear. They would practically be as good as Barristers, and they will be kept for that service. A good many Indians will go to that service, and that will also relieve the present difficulties which Europeans apprehend with regard to so many Indians going into the Executive service. That will, to a certain extent, be relieved.

12364. Would not that feeling be equally allayed if recruitment were made direct from the Bar instead of by a separate examination?—Recruitment from the Bar will create favouritism.

12365. It is because you wish to get away from the element of patronage?—Yes, there will be discontent, because someone will be passed over whilst others are taken.

12366. In your scheme for recruitment for the Provincial Civil Service you have suggested that half of it should be by nomination, and half of it by examination?—Yes.

12367. Will you tell us why you want that half by nomination?—Because there are certain classes that may not be able to compete, and for political reasons the Government may think that they should have a certain class of people in the service. Therefore, I think that Government should have the option of appointing half, if they think it desirable.

12368. You think that is important?—Yes. I think that is important.

12369. But the result of it, of course, will partly be that if all the successful men in the open competition are recruited from Bengal—the Hindu community—a very large percentage of the nominations will have to be exercised in favour of the Muhammadan community and possibly the Indian Christian community?—Yes, but not at the sacrifice of efficiency.

12370. Do you think it would cause any political embarrassment that the nomination by Government should almost always be exclusively exercised in favour of one community in particular, and not of others?—At present it amounts to this.

12371. At present it is wholly by nomination, and Government nominates from all communities?—Government will see that each community is represented.

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12372. Will not that create a feeling of a sense of injustice in the minds of other communities?—Competitive examination is the best, but it cannot be done at present. As the Government will not do it, it is much better to do it in that way.

12373. You are brought, are you not, in your business relations very closely into touch with the European non-official community?—Yes.

12374. You are also brought fairly closely into touch, I presume, with the European official community in India?—Yes.

12375. You are well acquainted with both classes?—Yes.

12376. I should like to ask you whether you have noticed any distinction at all in the relations between those two separate classes, the European officials and the non-European officials: have you noticed any difference in their relations with the Indian educated classes and the educated community in any way?—European officials are far better than European non-officials. They have better relations with the Indian educated classes.

12377. They have?—Yes, certainly they have, in every way.

12378. Can you account for that in any particular way?—First, the European officials see Indians more in their private capacity and in other different ways; secondly, the officials are generally loyal to the service. The high class officials sympathize with the Indians generally. They are very loyal to their service. They know that their prospects lean towards being friendly with the Indians, and they do so.

12379. You lay particular stress upon Western methods of training for Indians?—Yes.

12380. In answer to question (16), I see you have suggested certain changes in the subjects of the open competitive examination?—Yes.

12381. Do you think that if those changes are made there would be any fear that the Western education, and the Western method of training, would, to a certain extent, be sacrificed by those changes?—I do not think so. The subjects are so many that I do not think that will be the case.

12382. You have put in some Indian subjects more particularly, but you do not think that would affect it?—I have done that because I sent four students at my own expense to pass the Civil Service examination, and I noticed from the results in Latin and Greek that they were the cause of their failure. When they go to England they cannot get sufficient time to study those subjects.

12383. You say you sent four at your own expense to England?—Yes.

12384. Was there any condition that if they passed that examination they should repay the cost of their education?—No. They are my relatives.

12385. Is it at all customary in Bengal for clever Indian youths to be sent home to England at the expense of private friends or caste-fellows, in order to get over this difficulty of expense of training?—It is not very much the custom. There is an association here which sends boys home for scientific purposes, but not for the Indian Civil Service examination; and

even then adequate funds are not supplied for them to complete their scientific education.

12386. I want to know whether there really is a substantial number of poor Indians having the best education which the country can give them, who are prohibited from going to England to compete for the examination?—Yes, there is.

12387. In some parts of India you find such youths are sent home by subscriptions raised amongst their leading people?—That is not the case in Bengal. I do not know of any case here.

12388. (*Mr. Gokhale*.) Your firm is one of the very biggest in the country, is it not?—It is very difficult for me to answer that question.

12389. How long have you been senior partner in your firm?—For the last seven years.

12390. Will you tell us how you came to go into this firm? It was a European firm before you joined it, was it not?—It was a European firm.

12391. You were taken in as a partner?—Yes.

12392. Tell us how you were taken in as a partner?—First of all I had a business of my own. I tendered for the water-works at Agra. I think my tender was reasonable; it was the lowest; but my tender was not accepted, because I was a Native of India. However, I had ambition in me, and I told myself that unless I joined a European firm I should not be able to do good business. My tender was a reasonable one, and the feeling engendered caused some of the other European competitors, to come to me and ask me whether I would join them. I settled terms with my present firm. I entered the Company and joined them.

12393. As junior partner?—No, not at first. I joined them in connection with some temporary works in connection with the Allahabad Waterworks; and after one or two years I became a permanent junior partner. Now I am senior partner.

12394. You are an engineer?—Yes, I was brought up as an engineer.

12395. I believe you had not been to England for your education?—No, not for my education.

12396. Before you became a partner in this firm you had not been to England?—No.

12397. When you became a partner in this firm you must have been placed at the head of some department?—Yes.

12398. Where there were Europeans?—Yes.

12399. So that without your having been to Europe you were in a position to discharge satisfactorily the responsibilities of the head of a department with Europeans under you: that happened to you?—Yes.

12400. There may be Indians in the country, though they may not be in your firm, who may be similarly placed in that respect?—If they got the opportunities.

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12401. There might be Indians who would be able to manage a department in which there are Europeans even if they have not been to England?—My view is that there are other Indians who are in every respect equal to Europeans and equal to any nation in the world.

12402. You would at the same time improve their position and reduce the chances of friction by sending them to England?—Yes. They must know the habits and ways of Europeans.

12403. There is one question of a general character I should like to ask you. What is your opinion about our very select men in the country holding their own against Europeans from every standpoint?—They are very few, but those few are as good as Europeans.

12404. In every respect? In every branch of life—legal, civil, and commercial—you will find some Indians as good as Europeans.

12405. You do not think that they would be inferior in any respects?—The average is very small.

12406. You think the Indian average is inferior?—Yes.

12407. But you think that selected Indians could be found who could hold their own in every respect?—Certainly. Why not?

12408. With regard to Indian students, in reply to Mr. Macdonald you said that at present Indian students hankered after Government service first?—Yes.

12409. And then comes law, and the other professions?—Yes.

12410. And finally they come to commerce, if they do come to commerce?—Yes.

12411. That would be the average Indian student of to-day?—Yes.

12412. Taking the best Indian students; do you think that the best Indian students prefer Government service to law, or do you think they prefer law to Government service?—They prefer Government service, because they get the status at once.

12413. The prizes at the Bar are higher?—Yes, but there is a certain amount of difficulty. It will take some years before they can obtain a position at the Bar.

12414. Do you not think that the best man would go to the Bar?—The very best man, who has confidence in himself, will probably go to the Bar.

12415. You said that owing to this new industrial awakening there was a perceptible tendency in the direction of young men in India seeking commercial careers?—Yes.

12416. But that tendency is not very marked, is it?—Yes; within the last few years it has been very perceptible.

12417. You think that it will be more and more marked as time goes on?—It is bound to be.

12418. If the best men in course of time come to prefer industrial careers to either Government service or the Bar or the professions, would that be a matter for regret?—I think the time will come when the Government will find it difficult to get men to come into their service.

12419. If that happened, supposing that time did come when Government found it difficult to get men into its service, and men went in for commercial careers, would that be a matter for regret in itself?—That would be a matter of congratulation to all of us Indians. I wish it could come sooner than it is likely to come.

12420. At the same time, have you noticed any tendency at present amongst the best Indian students not to go into Government service?—Yes, lately.

12421. Why is it? Is it because they would like to go in for commercial careers, or is it in consequence of any sense of bitterness?—There is a sense of bitterness,—that they are not treated equally with Europeans; but personally, I do not know many cases of that.

12422. Young men come to you for employment, and in that way you come to know what they think about these matters?—Yes.

12423. If the best young Indians turn against Government service with a feeling of bitterness, that would be regrettable, would it not?—That is why I said that I thought there should be 25 per cent. of Civilians. Personally, I should like not one to go into the Civil Service, but that they should go into industrial commerce.

12424. That is, if they seek these careers without any feeling of bitterness?—That would be the ideal thing.

12425. Otherwise, it would be an unfortunate thing?—Yes.

12426. As I understand your scheme, you would first of all prefer that about 40 or 50 scholarships should be awarded to the best Indians who should proceed to England?—Yes.

12427. In which case there need be no examination in India?—That is so.

12428. If you fail in that, you will have what you call a simultaneous examination of a conditional character in India?—Yes.

12429. Let me be clear about this simultaneous examination of yours. You would limit the total number of Indian entrants to one-fourth?—Yes.

12430. That is to be the maximum?—Yes.

12431. It may be less than one-fourth, but it should not be more than one-fourth?—It will be less, in fact.

12432. The first men to get into the service would be the men who get in by the London door?—Yes.

12433. Supposing, as you yourself have said here, that there are 80 men to be taken in one year, you would like 20 of them, as far as possible to be Indians?—Yes.

12434. Suppose that in 1915, 80 vacancies are announced and only 8 get in by the London door, there remains a deficiency of 12 Indians?—Yes.

12435. For which, in 1916, you would hold an examination in India at the same time as the Civil Service examination is held in England?—Yes.

12436. That is to say, the papers would be the same?—Yes; everything would be the same.

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12437. But the English examination will be for the number of vacancies for 1916?—Yes.

12438. Whereas the Indian examination will be only for those 12 posts?—For those 12 vacancies.

12439. Supposing in 1916 there are 80 vacancies announced by the Secretary of State, you would have the usual examination in London for those 80 vacancies?—Yes.

12440. And for the 12 vacancies of the previous year, which were not filled because the number of Indians was not available, you would hold the same examination in India?—Yes.

12441. And if 12 passed, you would take the 12?—Yes.

12442. And if less than 12 passed, you would take less than 12?—Yes.

12443. There would be no possibility of more than 12 coming in, because the examination is held only for 12?—There may be in that year again another 20 per cent.

12444. That is, from the London number of 1916. We are just now dealing with the deficiencies of 1915, which you have given to India?—That is all I meant; that there should be one examination, and that there should be opportunity given here for scholarships for Indians who cannot afford to go to England and pass their examination; but on no account is there to be more than 20 per cent.

12445. You say that for the present you would limit it to one-fourth?—Yes.

12446. But you would increase it later on as the confidence of Englishmen in the successful nature of the arrangement was established?—Yes, certainly.

12447. You think that if you asked for any larger proportion now they would be frightened?—Yes.

12448. But that if the one-fourth proportion succeeded in practice, and the Administration was found not to suffer, the better men amongst Englishmen would be ready to advance further?—Yes.

12449. And so you would go on gradually?—Yes.

12450. And that is why you propose one-fourth?—Yes.

12451. In answer to question (9), speaking of the London door being closed under any possible arrangement, you say, "This reactionary measure, if ever introduced, is bound to arouse a great deal of discontent." Will you explain what you mean by that?—We middle class people, those of us who have been to England, would like to send our boys to England for education; and if those schools are closed for our boys, the discontent will come to us, who up to now are not discontented. Should that time come we will be discontented, too.

12452. There is a class in this country who appreciate the advantages which an English education offers to their children?—Yes.

12453. If the English door were closed their children could not appear there, and this class would be discontented?—Yes; and that is now the best middle class.

12454. You say you do not want to fix a minimum proportion of Europeans. I gather, for the present, at any rate, that you would not

have more than one-fourth Indians, while at the same time you do not want to lay down in black and white any number of Englishmen as the minimum that should be in the service; is that so?—Yes.

12455. Why is that?—It would only create discontent. Let it adapt itself as it goes on. It will come to that. Allay the fears in the minds of certain communities.

12456. The discontent would be on both sides. If the proportion were too low, the English side would be discontented; and if it were too high, the Indian side would be discontented?—Yes.

12457. You would leave it alone and determine from time to time how it should be secured in practice?—Yes.

12458. You say that Civilians who arrive in this country should be placed under a Collector or District Magistrate of marked sympathies with the people, for their probation. Who is going to determine this?—The head of the Government. It must depend upon him.

12459. But that would depend upon the views and sympathies of the head of the Government?—Experience tells us that the heads of the Government have keen sympathy.

12460. But that, in practice, does not help us very much, does it?—No.

12461. In reply to question (50), sub-section (iv), you say, "Indian District Magistrates or Judges should not, as is now generally the case, be posted to an unimportant district and grouped together." Are you aware if there is any serious complaint among Indian District Magistrates or District Judges on this score?—I have often heard that.

12462. That they are so posted?—We see it whenever a Magistrate is Indian, when a Judge is Indian, when the District Superintendent of Police is Indian, and when the medical man is Indian.

12463. They feel they are treated as inferior?—Yes.

12464. And the very district where they are posted is regarded as inferior?—Yes.

12465. And you think it is a legitimate grievance on their part?—Yes.

12466. Do you think that this is a comparatively new departure, or has it been so in the case of Indian Civilians always?—It is getting gradually worse.

12467. They were posted to important districts at one time?—Yes.

12468. The evil you complain of is growing?—This is more due, if I may say so without giving offence to anybody, on account of promoting these Provincial Civil Service men to these posts. I know a place where the Magistrate and the Judge and the District Superintendent of Police are promoted Provincial Civil Servants.

12469. Anyway it is somewhat natural, as the social life of European officials in a place is involved in it?—I cannot blame them. These men will not mix with them socially.

12470. And you think that Indians should go to England and get into the Civil Service, so that in that way they may share in the social life of Europeans?—Yes.

12471. You know a number of Indian Civilians and English Civilians in this Presidency?—Yes.

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12472. A great many of them?—Yes.

12473. Will you tell us what your opinion is of them, in a general way, both on the Executive side and on the Judicial side: do you find that one class is better than the other?—I do not make any distinction.

12474. Do you find Indian Civilians as a class are inferior to English Civilians?—No.

12475. On the Judicial side?—No.

12476. On the Executive side?—No.

12477. (*Mr. Chaubal.*) I only want to ask you one question, but I do not wish you to answer it if you are not disposed to do so. It has reference to your answer to question (57) with regard to the Provincial Civil Service. What is your feeling? Do you think that the administration of justice in the country would be better if the judicial and magisterial functions of an executive officer are taken away, and given to separate officers? Do you think the two should be separate?—That is the feeling in the country now, and I think it would be better.

12478. In that view, do you think, that the subordinate magistracy are not carrying out their Judicial functions properly?—Yes.

12479. Can you tell us shortly in what way they are supposed not to be doing their Judicial duties properly?—They, to a certain extent, do their work according to the wishes of the superior officers.

12480. (*Sir Theodore Morison.*) Are the Englishmen whom you employ in your service, University men?—No, not necessarily.

12481. Do you find that they hold their own socially with the men in the Indian Civil Service?—Yes; these higher class officers hold their own socially with the Indian Civil Service.

12482. You lay stress on that in your evidence?—Yes.

12483. Have you yourself employed any of the technical scholars who have been trained in England?—We have some.

12484. Do you pay them as much as the Englishmen?—No. The difficulty is that we have very few. When they come out from England they do not like to be apprentices getting small pay.

12485. They do not like the pay the Englishman accepts?—I am talking of the Indian who has qualified himself at the technical examination in England. When he comes out here he wants much higher pay than we, as a commercial firm, are willing to pay him to begin with. There are many Indians whom we cannot take. We must go to the cheapest market for our business purposes, and get good men. That is the reason why in our firm we have not a good many Indians who have passed, or qualified themselves, in some technical branch in Europe.

12486. These men, I understand, have got the social qualifications which you desire?—Yes.

12487. Their theoretical education, I suppose, is fair?—Yes.

12488. I do not quite understand what you said about the salary which they demand. Do they demand higher salaries than Englishmen?—No. We never bring Englishmen out direct from college. They generally have their practical training there; but those Indians who are sent to

England with scholarships finish their college course there, and come out here.

12489. If you could get these Indians to have some practical experience such as Englishmen, then you would prefer it?—I should prefer it.

12490. What sort of salary would they start with?—They would get the same pay as Europeans, Rs. 400 or Rs. 500, and go up to Rs. 2,000, provided they were equally capable.

12491. How much practical training should Englishmen get before they come here?—Two or three years. Some of them never go to a University. They go to a practical place—to an engineer or an architect—and there they apprentice themselves and they learn their profession well before they come out to us.

12492. You employ that class of man because it is the cheapest?—We do not make any distinction whether he has a University degree.

12493. The reason why you do not employ an Indian and you do employ an Englishman is because the Englishman is a tested man, and it is cheaper to get a man of that sort?—Yes.

12494. (*Lord Ronaldshay.*) You say that the best English students try to get into the Home Service in preference to the Indian Service. That was not always the case, was it?—As far as I know, for the last five or six years.

12495. It was not the case in previous years?—No.

12496. Do you think that the popularity of the Service out here has declined in recent years?—They do not like to come out to India. That we see, as the practical results of examination. I do not know for what reason they do not like to come out to India.

12497. With regard to your scheme for recruitment, your answers to Mr. Gokhale do not quite clear up some difficulties which I still see in the way of your proposals. I want to ask you whether I have understood them correctly. Your scheme is this. There are eighty vacancies in one year to be filled. Twenty of these, according to your scheme, are to be reserved for Indian candidates?—Yes.

12498. The examination is then to be held in England?—Yes.

12499. Supposing the first sixty-five places in the examination are filled up, sixty Englishmen and five Indians. So far so good. But supposing the next ten places are filled by Englishmen, and then again, five places by Indians, what are you going to do; are you going to knock out the ten successful English candidates and put five unsuccessful Indian candidates in the Service over their heads?—I would not do anything. I believe that if facilities are given in India, you will get a certain number of Indians to compete. I do not want any special favour for Indians.

12500. You say that twenty vacancies are to be reserved?—I say that is the maximum number to be given. I do not say that is the minimum.

12501. That is very important. Then you must qualify your written evidence on that point?—Yes.

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[continued.]

12502. That makes a great difference in your scheme?—Yes.

12503. There is one more question I want to ask you. You say that there is a tendency in cases where there is an Indian District Magistrate to man the District staff mainly by Indians, and that it creates a great deal of discontent. Does it create discontent among the Indian members of the Service?—Yes.

12504. And does it also create discontent among the inhabitants of the District?—In this way only, that the people think that there is a certain sort of treatment accorded to these men which they should not get. They are treated as a separate sort of man.

12505. Then the inhabitants of such a District do rather object?—I do not think it makes any difference to them.

12506. You have never heard of a case, for instance, of a memorial being sent up to Government by the inhabitants of a District which was so administered, asking that they should have a certain number of Europeans?—I have not heard of that.

12507. There is another question of a minor character I should like to ask you. You say that in giving promotions a proficiency in Indian languages should carry greater weight than it does at the present time. How do you test the proficiency of students in languages; I suppose only by examination?—Yes.

12508. Do you desire that before a man is promoted he should go up for an examination in the language of his Province?—Yes.

12509. How often is that to take place—on each promotion?—Before he is promoted to a higher grade. Before an Indian becomes a Collector he ought to know the language of that Province.

12510. Very well. Before an officer is promoted to a District you would like to see him submitted to an examination in the language?—It would be better for him and better for the community. They would understand each other.

12511. That examination I suppose would be of a similar character to the departmental examination which is at present imposed upon an officer in the first two years?—The examiner should not be a Civil Servant. The examiners should be quite different men and Indians. Bengali should have a Bengali examiner. If it is Urdu it should be a Muhammadan examiner.

12512. There is one other qualification which you would like to see tested, that is to say, you think that before an officer is promoted consideration ought to be given to the question as to whether he has been sympathetic towards the inhabitants during his previous service?—Yes.

12513. How is that to be tested? You cannot test that by examination?—That is probably the feeling; the Government must, and does know. You cannot say that the Government does not know whether an officer is popular or not in a place. He cannot hide it; it comes out.

12514. It is tested by Government?—Yes, by those who give the promotion.

12515. (Mr. Bompas.) You mentioned the case where an Indian chemist employed at your

iron works had to leave because he could not get on with the Europeans?—Yes.

12516. What class were the Europeans; were they chiefly the mechanic class?—Yes.

12517. Would you say that an educated Indian would find it more difficult at present to control Europeans of the mechanic class—the lower class—than to control Europeans of a higher social status?—Yes.

12518. And in any position where you had to deal with that class of Europeans, it would be advisable to employ a European officer?—Yes.

12519. You were asked whether there was discontent among a certain class of the population owing to the feeling that they were not getting a fair share of Government appointments, and that it would be wise to allay that discontent, and to give them a larger share of Government appointments?—Yes.

12520. Would you do that if it led to a decrease in the efficiency of Government?—No.

12521. You would not risk general discontent with the Government merely to satisfy the discontent of that class?—No, only to give them facilities to shut their mouths, so that they cannot say that they cannot get it.

12522. You are, I believe, much interested in the development of Bengal on the industrial side?—Yes.

12523. And you are much interested in the Bengalis?—Yes.

12524. You would do everything to employ them in your office, other things being equal?—Yes.

12525. At present you only employ Europeans in the higher posts, because you cannot get Bengalis with the necessary qualifications?—Yes, that is so.

12526. (Mr. Mukherji.) I take it that you wish to improve generally the pay and prospects of the Provincial Civil Service men?—Yes, certainly.

12527. But your scheme would take away the listed posts from them very largely, would it not?—Yes.

12528. How would you compensate them for the loss they suffer?—By increasing the number of higher posts—Rs. 1,000 posts—and by increasing their pay from the beginning.

12529. Do you not think that they ought to go considerably higher than Rs. 1,000 in that case, because now they can rise to first-class Magistrates, and get Rs. 1,600?—Only two or three I keep that door open. I said they should spend one year's probation in England.

12530. In answer to question (59) you say that the pay of the Provincial Civil Service men should not be adjusted according to the market value, but that it should be fixed with a certain relation to the prestige and dignity which it carries?—Yes.

12531. You therefore think that the present scales of pay are insufficient and inadequate?—Yes.

12532. (Mr. Sen.) You object that a District should be entirely officered by Indians; is that your objection?—I do not object. I said that there is a grievance amongst those men; that they complain.

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[concluded.]

12533. Do you not think we should be grateful to Government for doing all that, because it is a sort of experiment whether a particular District cannot be entirely made over to Indian administration?—Not creating that discontent. If officers are so discontented they cannot work properly.

12534. Have you found that officers are disoontented?—Many. If I am allowed to give the names I will mention them.

12535. The policy of Government is that an Indian District should be made over entirely to Indians as a sort of experiment?—It so happens that these Districts are notoriously unhealthy Districts.

12536. When I was a Munsif in Bankura District they were all Indians, namely, the Judge, the Magistrate, and Superintendent of Police, and it is a particularly healthy District?—All I say is what I have heard from these Civilians and Provincial men; they are discontented. They say it would look as if Government wanted to group them together to avoid their having any control over Europeans.

12537. Will you kindly look at your answer to question (24)? You say: "Especially deserving and meritorious officers from the Provincial Civil Service may be promoted to the listed posts, provided the conditions stated in my previous answer are fulfilled." The condition I find in your answer to question (6), where you say: "It is absolutely necessary that men who are to occupy the positions of District Magistrates and District Judges should have a training which will enable them to maintain their position and dignity on a footing of equality with their brother European officers."?—Yes.

12538. But you have at the same time recommended that they should get equal pay?—Yes.

12539. In your answer to question (47) you say that they should get exactly the same pay as the European officer?—Yes.

12540. Is not that sufficient to maintain their position and dignity, and be on a footing of equality with the European officer?—It is not only the pay.

12541. What sort of training do you wish?—They begin their life as a subordinate, and naturally they cannot have the same sort of knowledge as an officer who has been appointed from England. If they go to England and spend a year of probation there, they would be more fitted for that post than being simply promoted from this country.

12542. You confine your remarks to the particularly deserving and meritorious officers?—Only those deserving and meritorious officers should be sent to England for one year's training.

12543. You insist upon the training in England as a necessary condition?—Yes.

12544. Is that a necessary condition for an Indian Judge too?—Yes.

12545. But there are Indian vakils of the High Court who do not live in European style?—But in the High Court in Calcutta, and in a big town like Calcutta, it does not matter. There is a large population here, and we do not care whether a Judge lives in any style or not; but in a District where there are only four or five officers, the District Judge ought to live

in a style becoming to his dignity and position.

12546. If he gets Rs. 2,000, what is the reason for supposing that he cannot live in a style which will command respect?—I have seen Indian Judges travelling in the intermediate class with chaprasis.

12547. That is very unfortunate. You are referring to a particular class—I am speaking of District Judges?—We are speaking of Subordinate Judges.—District Judges? I have known Subordinate Judges when they are promoted to District Judges to send a petition to Government asking to be called "Esquires" and "Misters," and not "Babus." Why do they adopt European dress as soon as they are made Judges? As soon as they are made Judges they adopt European dress, and they think that unless they live like Europeans they cannot maintain their dignity.

12548. My next question is about a point of service. You say that a Munsif takes twenty-four or twenty-five years to become a Subordinate Judge?—Yes.

12549. I should say it is 18 or 19 years?—It may be.

12550. At present a Munsif becomes a Subordinate Judge at the age of 50 or 51 and he gallops through all the grades from Rs. 600 to Rs. 1,000?—Yes.

12551. Do you think that is a satisfactory state of things?—No, I said that they should be promoted quicker and get better pay.

12552. So that in your opinion a Munsif should become a Subordinate Judge not after but before he reaches 45 years of age?—Certainly, not after all his energy is gone.

12553. When you suggest that the salaries of the Provincial Service should be increased, do you include the Munsifs?—Yes.

12554. At present a Munsif does not get Rs. 400 before he is 40 or 43 years of age, and Rs. 500 before he is 48 or 49 years of age?—I know they cannot live respectably on that pay.

12555. And you recommend a general increase of salary?—Yes.

12556 (*Mr. Chaudh.*) Your acquaintance with the European circle is very large; have you come across European Civil Servants who, within the first six months or one year of their coming to this country, are able to converse freely with villagers?—I have never come across such a man.

12557. Do you think it likely, from your knowledge of the vernaculars, or possible, that an Englishman could, within one year of his coming out to this country, be able to speak freely with the ordinary villagers in the mufassal in the vernacular?—Only in very exceptional cases. Not in ten years would they be able to do so.

12558. (*Chairman.*) Am I right in supposing that your proposed scheme of examination would limit the entry of Indians to one-fourth, that only those Indians who come out in the ordinary list of successful candidates would be admitted, and that the original list would never exceed one-fourth of the whole?—That is my view.

12559. That is a correct interpretation of your scheme?—Yes.

(The witness withdrew.)

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SYED ALI ASHRAF.

SYED ALI ASHRAF, Esq., Judicial Personal Assistant to the Commissioner of the Presidency Division.

Written answers relating to the Provincial Civil Service.

12560. (1) Please refer to Government of India Resolution No. 1046-1058, dated the 19th August 1910, defining the general conditions which should govern recruitment to the Provincial Civil Service, and reproduced as Appendix V. Are these conditions suitable, or have you any recommendations to make for their alteration?—The general conditions governing recruitment to the Provincial Civil Service as defined in the Government of India Resolution are suitable enough so far as they go, but are susceptible of improvement in some respects. For instance clause VII should be so modified as to limit the right of the Local Government to make promotions, without regard to seniority, to the grade of Rs. 600 and higher grades, but seniority alone should ordinarily give a claim to promotion at least up to the grade of Rs. 500. There is a general feeling of dissatisfaction in the Service in regard to the direct appointment of outsiders to the higher grades of the Service by Government, over the heads of many experienced officers of high character and undoubted ability. If such direct appointments were to be made only to offices in the lowest grade of the Service, there will not be any heart-burning or discontent among the members of the Service. Clause VIII should therefore be so amended as to confine the direct appointment of outsiders by Government to the lowest grade of the Service.

12561. (2) Please supply a copy of the rules for the recruitment of the Provincial Civil Service in force in your Province. Are these rules suitable, or have you any recommendations to make for their alteration?—The rules, though on the whole suitable, do not fully satisfy the aspirations of the representatives of the highly-educated section of the community. The rules should be so altered as to introduce a system of open competition combined with nomination, *viz.*, candidates for half or at least one-third of the appointments annually made should be recruited by an open competitive examination, and the rest should be selected by nomination. For a full description of the system which I recommend, please see my answer to question (6).

12562. (6) What is your experience of the officers selected by the different methods of recruitment, which method has proved the most satisfactory, and what changes, if any, in the present system of recruitment do you recommend? For direct recruitment do you recommend (a) open competition, (b) nomination, (c) combined nomination and examination, or (d) some other method? Please describe fully the system that you recommend?—Open competition combined with nomination. Under the present system of pure nomination, the best selections, even when most impartially made, will be open to the suspicion, however baseless, of some sort of unconscious bias in favour of the selected candidates, specially in cases where the qualifications and claims of many of the candidates are evenly

balanced. This suspicion of bias can only be effectually disarmed by an open competitive examination, at least for candidates with the highest intellectual attainments, who prefer to enter the Service by sheer dint of superior merit. Moreover, by throwing open a reasonable proportion of direct appointments to open competition, Government will secure not only the most efficient candidates, but satisfy the very natural ambition of such representatives of the educated classes as wish to stand the supreme test of a difficult competitive examination. To exclude undesirable candidates, permission to appear in the competitive examination may be made conditional on the production of satisfactory proof of respectability and good character. I would, therefore, suggest that the rules should be so modified as to allot three out of the six appointments now made annually on the nomination of Commissioners and the Syndicate of the Calcutta University to open competition, or at least the two appointments now made on the nominations of the Syndicate of the Calcutta University should be thrown open to pure competition. The remaining three or four appointments, as the case may be, should be made on the nominations of Commissioners, regard being had to the desirability of securing a fair share of appointments to each important section of the community. Such a system of pure competition, combined with nomination, is most likely to meet with general acceptance. As an alternative, I would rather return to the system which was introduced by Government Resolution of the 24th April 1889, published in the Supplement to the *Calcutta Gazette*, dated the 1st May 1889, *viz.*, open competition combined with selection from amongst the unsuccessful candidates who have obtained the highest marks and the otherwise qualified according to the rules, with a view to secure the adequate representation of all important sections of the community in the Service.

12563. (7) To what extent are non-residents of the Province employed in your Provincial Civil Service? Do you consider that only residents of the Province should ordinarily be recruited?—Ordinarily, only residents of the Province should be recruited, provided they are fit persons. In special cases non-residents may also be recruited, provided they are deserving and duly qualified persons.

12564. (8) Are all classes and communities duly represented in your Provincial Civil Service? Do you consider that this is desirable and what arrangements do you recommend to secure this object?—No. For instance, the Muhammadan community, having regard to its importance and numerical strength in this Province, is not adequately represented at present in the Service. The adequate representation of all classes and communities in the Service is certainly desirable, provided it is secured without lowering the standard of ability necessary for the efficiency of the Service. The existing system, as also the system recommended by me in my answer to question (6) is suitable for securing the adequate representation of the important sections

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of the community. But the existing system can be further improved by allotting a certain proportion of appointments to each class and community according to its importance and population.

12565. (9) What is the system of training and probation adopted for officers of the Provincial Civil Service? Do you consider it satisfactory, and, if not, what alterations do you recommend?—The present system is suitable enough, but its working is not quite satisfactory. Probationers are not always properly trained under the personal supervision of the District officers. Some of them are employed too much on outdoor work. Many of them are employed simply to do the routine work of Revenue Departments without being thoroughly trained to understand the practical working of the departments. I think every probationer should receive training under an experienced Deputy Collector in each important Revenue Department for a fixed period, at the end of which he should be examined verbally by the District officer, who will then report to the Commissioner if he is satisfied with the training in any particular work undergone by the probationer.

12566. (10) Is the existing system of departmental examinations suitable, and, if not, what changes do you recommend?—I think it is quite suitable. I would only suggest that if the existing system of recruitment is to continue, the departmental examination should include one paper in drafting and précis-writing.

12567. (11) Do you consider that any change should be made in the classes of offices and appointments at present included in your Provincial Civil Service?—No.

12568. (15) What is the annual rate of recruitment and how is it fixed? Has it worked well in practice and does it secure an even flow of promotion?—Only 12 appointments are made annually at present. It has not secured an even flow of promotion.

12569. (16) To what extent is any system of selection for appointments to the higher grades enforced? Is any change of practice required in this respect?—The system of selection is enforced for promotion to the grade of Rs. 500 and higher grades. The system is not satisfactory from the point of view of the members of the Service.

12570. (17) Are you satisfied that, under the existing system of promotion, the interests of individual officers and of the administration are duly reconciled, and have you any suggestions to make regarding it, particularly on the subjects of selection for higher appointments and of the compulsory retirement of inefficient officers?—Selection is made on the basis of the remarks confidentially reported by superior officers, which, though generally fair and discriminating, are often very divergent. The system of selection should be enforced for promotions from the grade of Rs. 500 and upwards. Promotion up to Rs. 500 should ordinarily be by seniority only. Moreover, before an officer is superseded, the reasons for his proposed supersession should be communicated to him, and he should be given an opportunity of submitting some explanation in his defence, which should be considered by the Governor in Council before he is actually

superseded. Also, supersession should ordinarily be confined only to officers who, on account of any misconduct or serious neglect of duty, are considered unfit for promotion to grades above the grade of Rs. 500. Officers specially in the grades below the grade of Rs. 400, should not be superseded for such trivial faults as lack of zeal or slackness.

12571. (19) Are you satisfied with the existing arrangements by which certain posts, ordinarily filled by members of the Indian Civil Service, are listed as open to officers of the Provincial Civil Service of proved merit and ability, and is the system followed in making appointments to these posts suitable? If not, what alterations do you suggest?—The arrangement by which certain posts ordinarily filled by members of the Indian Civil Service are listed as open to officers of the Provincial Civil Service of proved merit and ability is satisfactory, but I am not aware of the system followed in making appointments to these posts. I think that the most suitable system of making appointments to listed posts, if it is not already in vogue, would be for the Governor in Council to personally select officers for appointment to listed posts, after fully considering the claims of all officers recommended for such posts by the Hon'ble Member of the Board, the Commissioners of Divisions and other high officials. Moreover, the number of listed posts, open to the members of the Provincial Civil Service, is not sufficient and should be increased.

12572. (20) Are you satisfied with the system by which most of the inferior listed posts are merged in the Provincial Civil Service? If not, what change would you suggest?—No. A better system would be to give these inferior listed posts to promising young officers, who may be specially trained in such a way as to be afterwards fit to be promoted to higher listed posts.

12573. (21) Are you satisfied with the present designation "the Provincial Civil Service"? If not, what would you suggest?—Yes.

12574. (22) Do you accept as suitable the principle recommended by the Public Service Commission of 1886-87, and since followed, that the conditions of the Provincial Civil Services as regards salary should be adjusted by a consideration of the terms necessary to secure locally the desired qualifications in the officers appointed? If not, what principle do you recommend?—The principle recommended by the Public Service Commission of 1886-87 is suitable.

12575. (23) Please give full information regarding the rates of pay and the number of posts in each of the main grades of the Provincial Civil Service authorized on the 1st April of each of the following years:—1890, 1900 and 1912. When was the last general reorganization effected, and what improvement of prospects was effected thereby?—The last general organization was effected in 1906. But the improvement of prospects effected thereby has not been satisfactory.

12576. (24) Are the existing rates of pay and grading in the Provincial Civil Service of

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your Province adequate to secure the desired qualifications in the officers appointed? If not, what alterations do you recommend?—No. The existing rates of pay and grading are not satisfactory. They are not adequate to attract the desired type of officers to the Provincial Civil Service. The rates of pay were fixed about 50 or 60 years ago. Since then the cost of living has much increased, but the rates of pay have remained unchanged. The purchasing power of the rupee has decreased in proportion to the increase in the prices of food-grains and other necessities of life. A Deputy Collector drawing a pay of Rs 400 a month now is financially not better off than a Deputy Collector drawing a salary of Rs. 200 about 35 or 40 years ago. Moreover, under the existing grading in the Provincial Civil Service promotions are very slow. I would suggest that two higher grades of Rs. 1,000 and Rs. 900 should be added to the Service, and the grading should be so arranged as to secure a reasonably quick flow of promotion. A reference to Appendix B will at once show that the constitution of the Provincial Civil Service in our Province does not compare favourably with that of the Provincial Civil Services in other Provinces, the number of appointments in the higher grades being disproportionately small. If two higher grades of Rs. 1,000 and Rs. 900 cannot be added, the Service should be at least graded like the sister Service, *viz.*, the Judicial branch of the Provincial Civil Service. Even if this concession cannot be made, the Service should be so graded as to enable the majority of officers to retire on full pension from the highest grade of Rs. 800. At present only a small percentage of officers can reasonably expect to reach the first grade before attaining the age of 55 years. A glance at the latest Civil List will show that many of the officers on the first grade are on extension. The two worst grades are those of Rs. 400 and Rs. 500, to pass through which it takes sometimes about 17 years. By increasing the number of posts in the higher grades, the rate of promotion should be so accelerated as to enable an officer to ordinarily reach the first grade in 25 years.

12577. (25) Are you satisfied with the present system under which officiating promotions are not made in the Provincial Civil Service? If not, what alteration do you recommend?—No. If the alterations recommended in my answer to the preceding question are accepted, I would suggest that officiating promotions should be made in the Service when any officer goes on furlough or deputation for more than six months.

12578. (26) What is your opinion regarding the substitution of a time-scale of salary for the existing graded system of promotion? If you are in favour of a time-scale, should it be restricted to the lower grades of the Service, or not?—I would prefer a time-scale, but it should not be restricted to the lower grades of the Service.

12579. (28) What is your experience of the practical working of time-scales of pay in other Indian Services?—I have no personal experience of time-scales of pay in other Indian Services, but so far as I have been able to ascertain from persons likely to know, they are intended to guarantee certainty of promotion after certain fixed lengths of approved service.

12580. (29) If you recommend any kind of time-scale of pay, please describe the scheme that you propose and state what conditions should, be laid down in regard to the grant of increments promotion to superior grades, charge allowances and other matters of importance? How do you propose to apply such time-scales in Provinces where the scale of pay of the Executive and Judicial branches of the Service is different?—In case my suggestion to improve the grading of the Service by increasing its number of higher appointments is not accepted, as an alternative I would recommend a time-scale for the Service similar to that which has been fixed for the Provincial Service of the Public Works Department, *viz.*, there should be progressive increase of salary from the lowest grade by biennial increments of Rs. 50.

12581. (30) Do you approve of the arrangement by which officers of the Provincial Civil Service holding listed posts draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various appointments?—Yes.

12582. (31) Is there any reason to suppose that officers of the Provincial Civil Service take more or less leave of any particular kind than they did 5, 10, 15 or 20 years ago? If so, to what is this due?—My impression is that they take more leave; both leave on full pay and medical leave and furlough. It is difficult to say definitely to what this is due. Perhaps this is due partly to greater stress of work, which frequently has to be done under very unhealthy climatic conditions, and also partly to the greater importance now attached to rest and change of air, which are now regarded by most of the educated Indians as essentially necessary for the recovery and maintenance of health.

12583. (32) Is all the leave on full pay due to them ordinarily taken by officers of the Provincial Civil Service, and, if not, what are the reasons? Is the amount which can be earned in your opinion suitable? If not, what alternative arrangement do you suggest?—No, because it is (i) not easy to get leave on full pay without giving three months' previous notice; (ii) it often involves transfers from good stations. The amount of privilege leave which can be earned now is suitable but, as in the case of famine duty, officers should be ordinarily allowed to take four months' leave on full pay at a time. The three months' limit now imposed tells hard on many officers who are practically deprived of this hard-earned privilege simply for not having been able to avail themselves of it after every three years.

12584. (33) Is all the furlough due to them ordinarily taken by officers of the Provincial Civil Service? Is it necessary to allow for as much furlough as is permissible by the present rules? If not, what change do you suggest?—No, so far as I am aware. Yes, but I would only suggest that the furlough rules should be altered to allow an officer 6 months' furlough after every 5 years' service, up to the maximum limit of two years to which he is now entitled after 18 years' service.

12585. (34) Do you consider that the rates of furlough allowances are suitable? If not, what changes do you recommend?—Yes.

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12586. (36) Have you any recommendations to make in regard to special leave, extraordinary leave without allowances, and other forms of leave? Do you consider that the present conditions governing these kinds of leave, and the leave allowances admissible, are suitable?—No. Yes.

12587. (39) Do any of the present leave rules press hardly in any way on officers of the Provincial Civil Service, and, if so, in what respects? What is, in your opinion, the appropriate remedy? In particular, do you regard the existing differences between the leave rules for the European and Indian Services as suitable?—The privilege leave and furlough rules do press hardly in some respects on officers of the Provincial Civil Service as pointed out in my answer to question (32) which also suggests the appropriate remedy.

12588. (40) Is the present system of superannuation pensions satisfactory in the interests both of the Government and the members of the Provincial Civil Service?—Not quite satisfactory so far as the interests of the members of the Provincial Civil Service are concerned.

12589. (41) Have you any suggestions to make in favour of any modifications in its detailed working, and, if so, what, and for what reasons?—In the Executive branch of the Provincial Civil Service the first two years of service, though continuous, do not count towards pension. This anomaly should be removed and the first two years of substantive *pro tempore* service in the case of Deputy Collectors should not be deducted from their pensionable service. The period of service at present necessary for voluntary retirement on full pension is too long. It should be reduced from 30 to 25 years. Moreover, option may be given to officers to retire on half pension after 10 years' service, and on full pension on medical certificate of failure of health after 20 years' approved service.

12590. (42) Do you approve of the grant of reduced pensions for such officers as may be found to be inefficient, but whom it may be difficult to retire without some provision for their subsistence? If so, what do you suggest?—Inefficient officers should be punished with stoppage of promotion with the option of retiring on any reasonable reduced pension which may be fixed by Government having regard to the special circumstances of each case.

12591. (43) Do you approve of the present system regulating the pensions of officers of the Provincial Civil Service holding listed posts? If not, what do you suggest?—Yes.

12592. (44) Do you consider that the existing rules governing the voluntary and compulsory retirement of members of the Provincial Civil Service are satisfactory? If not, what

changes do you recommend?—No. For any changes recommended by me please see my answer to question (41).

12593. (46) Are you satisfied with the existing organization of the Provincial Civil Service?—If not, please state what alternative organization you consider desirable, and explain fully your views, making any suggestions that appear to you to be suitable?—No. For any suggestions for improving the existing organization please see my reply to question (24.)

12594. (47) Have you any other proposals to make in regard to the Provincial Civil Service not covered by your answers to the above questions? If so, please explain them?—The only other proposals not covered by my answers to the previous questions are:—(i) That the privilege of presentation at the Governor's Levée, which was formerly enjoyed by all the members of the Provincial Civil Service, should be restored to them. (ii) They should also be allowed the distinction of being addressed as 'Khan Bahadur' or 'Rai Bahadur' so long as they hold the office of a Deputy Collector. This distinction was formerly enjoyed by them, but was recently withdrawn. The deprivation of these two privileges has adversely affected the prestige of the Provincial Civil Service, which at one time stood higher than that of any other Service with the sole exception of the Indian Civil Service, and is therefore naturally a source of discontent among the members of the Service. Moreover, the practice recently introduced of subjecting the work of Deputy Collectors to the inspection and criticism of the Superintendent in the Collector's office, who is a ministerial officer, is also very objectionable and is much disliked by the self-respecting members of the Service. It should be discontinued. A better arrangement would be to appoint a Deputy Collector as Personal Assistant to the District officer to do the work which is now done by the Superintendent. Also larger powers of control, appointment and dismissal over subordinates should be given to Deputy Collectors subject to the approval of District officers. Also all Deputy Collectors, from the lowest grade upwards, should be allowed to draw first-class travelling allowance. A Superintendent of Post offices, who begins with only a pay of Rs. 200 a month, draws first-class allowance and has also the power of appointing or dismissing any subordinate whose pay does not exceed Rs. 40 a month, but even a Senior Deputy Collector of the first grade drawing Rs. 800 a month, cannot appoint or dismiss a peon. Unless all these causes of discontent are removed, the Service will not attract the best type of well-bred officers of good family and first-rate ability, without whom no Service can command the respect and confidence of the public.

SYED ALI ASHRAF, called and examined.

12595. (Chairman.) You are Personal Assistant to the Commissioner, Presidency Division?—I am Judicial Personal Assistant.

12596. How many years' service have you had?—I have got about 18 years' service.

12597. What are the posts which you have held for the last six years?—Before I came to the present post, I was Subdivisional Officer of Basirhat—24 Parganas—for about three years.

12598. You object to the present method under which Government make direct appointments

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to the higher grades of the Provincial Service?—Yes.

12599. Do you know to what extent this power has been exercised?—As far as I know, it has not been too much exercised. It has been exercised to an extent to cause some discontent—I should say much discontent.

12600. You know of several instances?—I know.

12601. You are strongly in favour of recruitment for the Provincial Service by open competition?—I have not said that it should be pure competition; but that it should be competitive.

12602. Combined with nomination?—Yes.

12603. What is your reason for retaining the element of nomination?—Because, as I have said, generally, pure nomination will not satisfy the representatives of the highly-educated classes.

12604. You want to ensure the due representation of communities?—Yes, at least those who wish to stand a test, a severe intellectual test, should be given a chance, besides I think it will encourage even backward classes to attain to a higher intellectual standard. Muhammadans, for instance, should not be debarred from it, but they should be encouraged to subject themselves to this higher test. They may not succeed in it, but still, they should have that goal before them.

12605. Do you know many districts in Bengal, where you regard it as important that appointments should be given to men who would not be able to enter by open competition?—I should think so.

12606. In your answer to question (17) you say that officers of the Provincial Civil Service should not be superseded "for such trivial faults as lack of zeal or slackness." Do you seriously suggest that the Government would be justified in continuing to employ such officers as have proved themselves, by their slackness, to be incompetent?—Not incompetent. Slackness is not incompetence. For the first time an officer is slack, he should be warned and he might change for the better. If slackness becomes habitual, it will certainly lead to incapacity. I am referring to an officer who otherwise is admitted to be capable. I know an instance in which an officer has been superseded on the first instance of slackness.

12607. Would you modify your statement by saying that greater care should be taken in dealing with these cases?—Yes. We must discriminate. There might be apparently lack of zeal due to many causes.

12608. You say that the number of listed posts should be increased?—Yes.

12609. To what extent?—Not to any large extent, but to a reasonable extent. I would leave it to Government to decide it.

12610. In your answer to question (24), you say that the rates of pay in the Provincial Civil Service have remained unchanged for the past fifty or sixty years?—Yes.

12611. Is it not a fact that there has been a change in recent years?—So far as our Service is concerned, there has not been much change—any substantial change.

12612. There has been some change?—A slight change in the lower grades beginning with Rs. 150.

12613. Was there not a reorganization in 1892?—There was a temporary improvement, but no substantial improvement in prospects.

12614. A temporary improvement?—Very slight. Some of the lower grades which were affected got some relief.

12615. Then there are grades which have not been changed?—Yes.

12616. What grades are they?—In most grades the rates of pay have not changed. What happens is that the number of posts is increased in some grades to remove a block, and again afterwards there is a congestion and the promotion is delayed. I can give my own instance. It took me fourteen years to get to the Rs. 400 grade, because I entered the service when there was a block, though junior officers got to the Rs. 400 grade in 8 years. What happens is that our prospects are quite uncertain. It took me six years to go to the Rs. 250 grade from Rs. 200; whereas other officers got into that grade in two years.

12617. Would you prefer a time-scale?—I should prefer a time-scale. There is much bitterness of feeling as regards the uncertainty of promotion.

12618. Would you suggest that the time-scale should be applied up to a particular grade, or that there should be one time-scale for all grades?—As far as I know, the general feeling is that it should be applied up to certain grades.

12619. You do not think that that would have an injurious effect on the administration?—I do not think so, because we can apply the test of merit before we promote men to higher grades, and even the increment can be stopped if an officer is not working well. If this is done, a great source of serious discontent in the Service will be removed.

12620. In your answer to question (25), you suggest that officiating grade promotions should be made?—That is, in case the time-scale is not given. In case the grading is improved, or if the present grading is maintained, in case the number of posts in the higher grades is increased, then I ask for these acting appointments; otherwise, this will not be necessary. If we get the time-scale, this suggestion will become unnecessary.

12621. Would you suggest that officiating grade promotions should be made even when no change of duties is involved?—You are referring to the higher grades?

12622. Yes?—Very little change. What happens in our Service is that an officer getting Rs. 800 has less responsible work than a junior getting Rs. 400. There is absolutely no change of responsibility involved in promotions to higher grades. That is one reason why we contend that the test applied to higher grades should not be as rigorous or strict as in the case of the Indian Civil Service.

12623. In your answer to question (32), you suggest that officers should be allowed to accumulate their leave for a period of four years. Do you think that it would be a good thing if officers are not allowed leave for four years?—What happens is that, according to the rules for taking privilege leave, we cannot avail ourselves of the leave due to us after three years. If I have worked for six years and if I have not taken

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any privilege leave during this period, I would not get all the leave that is due to me, but I would get only three months' leave, and I forfeit the remaining three months' leave. What I say is that I ought to get at least four months' leave; and if we get that, we are prepared to forfeit the remaining two months' leave.

12624. You have to wait for four years before you can take any leave?—Not that. We can get one months' leave for every year; but we do not get it generally. We cannot take more than three months' privilege leave at a time; but we wish that we may be allowed to take more privilege leave. At present we can only take three months' leave after three years.

12625. And you want to take more?—We want that we should be allowed to take privilege leave for four months at a time.

12626. For how long a period have you to serve before you can get it?—Four years. Before four years, we can never get it.

12627. Would you wait for four years?—Not necessarily. We have the option of taking leave for one month after one year's service. At present, even if we have earned our privilege leave for four years or six years, we cannot take more than three months' leave. We want to take at least four months' leave after we have earned that leave.

12628. Would not this proposal of yours necessitate a substantial increase in the number of transfers?—No. If there is a sufficient leave reserve, I do not see how it can affect the administration. It all depends upon the leave reserve.

12629. In your answer to question (41), you say that officers should be allowed to retire on half-pension after ten years' service. Would not this mean a substantial increase in the non-effective charges?—That is a matter for the Government to look into. It so happens that officers have to retire earlier than the due time for some reason or other, and then they do not get any pension. If, for instance, a man who has already put in 19 years' service, wants to start another career, he does not get anything on retirement. Even private firms show consideration in such cases. The other day a Deputy Collector retired and joined the Bar. He had about 19 years' service to his credit, but I do not think that he got any pension at all.

12630. That is rather a different case. You were referring to voluntary retirement after ten years and to the grant of half-pension?—I leave the period to the Government. Some concession might be shown. The period might be increased, if necessary.

12631. (Lord Ronaldshay.) With regard to the discontent which you say exists in the Service owing to the appointment of men to higher grades by Government, can you tell me what the rule of the Government is with regard to the making of these appointments, as far as Bengal is concerned?—The rule is given in that Resolution of the Government of India.

12632. It runs like this: "The Government of India or the Local Government may, in very special cases, make direct appointments to offices in higher grades." Observe the words 'in very special cases'?—Yes.

12633. That is the rule. What I want to ask you is whether you can give me any

instance of appointments of this kind having been made not in very special circumstances?—I can give, from the point of view of our Service. We do not know what special claims these outsiders might have got. So far as the Service is concerned, the feeling is that officers who have no right to bigger appointments, or outsiders who have done nothing to deserve them are appointed to higher grades over our heads. There is no other Service which would tolerate it.

12634. You would like to have that rule altered?—We do not object to their being brought into the lowest grade.

12635. You would like to have that rule blotted out?—Not altogether. Let outsiders be brought into the lowest grade. Then there will be no complaint.

12636. This rule is not intended for dealing with appointments to the lowest grade, but it allows the Government to make appointments to the higher grades. I want to know whether you would like to have that rule abolished?—Yes, I do. That is the feeling of the Service.

12637. With regard to the system of recruitment for the Provincial Service, you say these appointments are now made by nomination and the best selections, even when most impartially made, would be open to the suspicion, however baseless, of some sort of unconscious bias in favour of the selected candidates?—Yes.

12638. You desire none the less that, under your own scheme, half the vacancies which have to be filled should be filled by nomination?—We cannot help it. In India, we must make allowances. Till the backward communities advance to the necessary extent, we must have a compromise.

12639. Then, your reasons for retaining this system, which you think is rather an unsatisfactory one, is that you are afraid that if you had nothing but a competition system, which is in itself desirable, some of the communities would not receive representation in the Service?—Certainly.

12640. Would not receive adequate representation in the Service?—Yes.

12641. For instance, the Muhammadan community might not receive as much representation as it ought to have?—I admit that.

12642. I should like to know what are the real reasons, in your opinion, why it is desirable that you should have a considerable portion of Muhammadans in the service?—Because, of course a community which is represented in the Service knows that its interests are better looked after; because, generally, the Government works through its officers and, however impartial an officer may be, the community feels that an officer belonging to it would look after its interests better. There is no doubt about that. Not only that, but also they feel that the Government service gives them a sort of prestige and importance.

12643. You have given me two reasons. The first reason is that Muhammadans feel that their interests are better looked after if they have a fair share of their people in the Service, and I infer from that that there is a feeling among the Muhammadan community generally that, if they had, for instance, a Hindu put over

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them, their interests might perhaps suffer?—That will depend upon the kind of the Hindu put in. Sometimes it is possible to find a better Hindu officer than a Muhammadan officer. I should also say that some Hindus might even prefer a Muhammadan officer to a Hindu officer, if he works honestly and impartially. But we have not advanced so much as to say that the bulk of officers are as impartial as they should be.

12644. Generally speaking, do you anticipate that there will be administrative difficulties if a large number of Hindu officers were administering a district which was mainly inhabited by Muhammadans?—That will depend, as I said, on the kind of officer that is sent, and the control which is exercised over that Hindu officer by the higher European official. I think that, if the control is effective, the Hindu officer would not be able to do anything which will cause dissatisfaction to the Muhammadans.

12645. Supposing the controlling officer is a Hindu, would the Muhammadan population be satisfied?—Again, the personal element would come in. It depends upon the Hindu officer that has to control. If he is an impartial officer, whether he be a Hindu, Muhammadan or European, he will give satisfaction.

12646. Now, I see that you base it on personal grounds, rather than on general grounds. You are taking the case of particular Hindus, but I want to know your views on general grounds as to the service being recruited from the Hindus?—On general grounds, I do not object to it.

12647. Then you want to modify your answer when you said that Muhammadans would be afraid that their interests would suffer unless there was an adequate number of Muhammadans in the Service?—I cannot follow that. Why should the Muhammadans be afraid if the officer be of the right stamp? I do not see any reasons for misgivings.

12648. Just one question. I want to ask you about your service. You say that in the Executive branch of the Provincial Service the first two years of it does not count towards pension. Is this the two years' service in the probationary period?—Yes. In the course of the probationary period, those two years are counted in the other services: it is counted in the sister Service, the Judicial service.

12649. In the Executive branch, it does not count for pension?—No, it does not count for pension.

12650. Does it apply to men who are recruited directly to the Provincial Service or does it also apply to men who have been promoted from the subordinate service to the Provincial Service?—I am not quite sure. I know that it applies to those who are appointed direct.

12651. But you are sure that it applies to those who are promoted from the subordinate Service?—I am not quite sure.

12652. In your answer to question (47) you say "that the privilege of being addressed as 'Khan Bahadur' or 'Rai Bahadur,' which was formerly enjoyed by all the members of the Provincial Service, should be restored to them." Can you tell me when that privilege was taken away?—Very recently; about two or three years ago.

12653. Were any reasons given at the time as to why it was taken away?—It was ordered by the Board of Revenue and it was removed by a correction slip without our knowing anything about it. We discovered it afterwards, and one reason was that it was the first time when Deputy Collectors in this province were given the lowest title of Rai Sahib and Khan Sahib, which was also very much resented.

12654. But no reason was assigned?—No; no one knew anything about it.

12655. Then you think "the deprivation of these two privileges has adversely affected the prestige of the Provincial Service which, at one time, stood higher than that of any other Service, with the sole exception of the Indian Civil Service"?—Yes, I should think so.

12656. Then, I understand that you do not agree with Mr. Dadabhoy Naoroji's opinion when he says that he considered the Provincial Service to be a *pariah* service?—No, Lord Hardinge in his first speech said that time was, in his grandfather's days, when the post of a Deputy Collector was supposed to be the highest ideal of Indians, but the present complaint is that the prestige of our Service has been lowered indirectly.

12657. (Sir Theodore Morison.) You said, in reply to Lord Ronaldshay, that if a Hindu officer is of the right type, the Muhammadan community and the Muhammadan population would trust him?—I should think so.

12658. They will be quite satisfied?—Yes.

12659. They would not want Muhammadans?—No.

12660. Surely, the proper thing to do is to have an increase in the number of the right kind of persons?—Certainly.

12661. What about the question of representation of communities?—I must modify my statement to some extent. Even supposing that the Hindu officers were capable, if no Muhammadan officer is forthcoming at all, the community will be dissatisfied for other reasons. They will feel that somehow or other, the members of their community are being kept out from posts under the Government.

12662. You say, in answer to question (8) that "the Muhammadan community, having regard to its importance and numerical strength in the province, is not adequately represented at present in the service." What would you consider to be an adequate representation of the Muhammadan community in this province?—I think it should be considered, having regard to its importance and population, and I have also said that this adequate representation of all classes and communities in the Service must be secured without lowering the standard of ability necessary for the efficiency of the Service.

12663. What does this representation mean?—One test is according to the population. The present population of Muhammadans is 50 per cent., whereas the number of Muhammadans at present employed is one-sixth; it is 50 out of 299. The number should be about one-half; but we cannot expect it all at once, there must be gradual advance towards securing it, as Muhammadans advance educationally. If they

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satisfy the minimum educational qualifications, I think that a greater number should be gradually introduced into the Service.

12664. Then, 50 per cent. is your answer. Do you think that the system of open competition for Government service will act as an encouragement to the backward communities; I think you said something to that effect just now?—It does, and therefore I say it should be kept up.

12665. Has that been the effect upon the Muhammadans in the province in the past?—Of course, it has had that effect. Some men did get in through the combined system of open competition and selection. I came in through that means. That encouraged us to try for examinations.

12666. Did you come in through selection?—Through competition and selection. Those who obtained the highest marks were taken and the Muhammadans that got the highest marks got in, Muhammadans who might not have possibly got in otherwise.

12667. Would you have got in by nomination?—I do not know. Muhammadans are backward. As far as I remember, I got the highest marks among the Muhammadan candidates at that time, only in the aggregate, though I was not within the first four.

12668. You say it does act as an encouragement?—Yes; at that time we felt that we had done something.

12669. The encouragement given to the Muhammadan community was due, I understand, to selection and not competition?—Certainly, nomination.

12670. You say that they should go lower down the list?—That was the arrangement. The marks were published and we were able to see how each man did in the aggregate. One man might get three or four marks less in the aggregate than another, but in some subjects he might have got higher marks.

12671. (Mr. Gokhale.) In your reply to question (6), you pass certain strictures on the present system of pure nomination. Will you kindly explain what that system is?—I have not quite condemned it wholesale.

12672. I said you passed certain "strictures"?—Whatever it is, it is there. The present system is that the Collector, the local officers.....

12673. Let us proceed step by step. First of all how many appointments are there in a year?—Twelve.

12674. With regard to them, who nominates candidates and how many do they nominate?—Four Commissioners nominate four; and two are nominated by the Syndicate. In fact, my remarks apply also equally to the Syndicate. As regards nomination, three are appointed directly by the Government and three are promoted from the subordinate Executive Service.

12675. Three are promoted by Government without reference to Commissioners or the Syndicate?—Yes.

12676. So three out of twelve are either nominated or promoted from the lower ranks?—Yes, at present.

12677. Out of the remaining nine, two are appointed on the nomination of the University?—Yes.

12678. I suppose the Syndicate generally selects the best men available?—Yes, but that does not give satisfaction. There are some of the best M. As. who do not get the appointment.

12679. I want to know what your complaint is about the men who are recommended by the University?—Nothing else but this: that out of the six best men, two might be selected and the other four best men still feel dissatisfied that the other two have been selected and they think that some of the members favoured them, whereas the open competition will disarm this sort of suspicion or feeling.

12680. I am trying to get at your idea. The Commissioners, you say, recommend four?—Yes, and each Collector nominates.

12681. From his district?—Yes.

12682. How many districts have you?—In my Division we have five districts.

12683. There will be ten men nominated by the Collectors?—Yes.

12684. Out of these ten candidates, the Commissioner will select one man?—Not that way, the Collectors and the Commissioner will hold a conference and personally meet the candidates.

12685. And then they select one man?—Two men are nominated and one is appointed.

12686. By the Government?—Yes.

12687. So that each Commissioner nominates two?—Yes.

12688. Out of the two, one is to be selected by the Government: you just now said that four were nominated by Commissioners?—It is from the four Divisions; one from each Division.

12689. Then the Government ultimately appoints four: it is not the Commissioners that nominate four?—Each Commissioner nominates and the Government appoints him.

12690. According to what you are telling us, four Commissioners would nominate, two each, that is eight and not four?—But ultimately, the appointment is made by the Government.

12691. They recommend eight?—Yes.

12692. Each Commissioner recommends two?—Yes.

12693. Three are appointed by the Government: at whose instance?—They are directly appointed.

12694. At whose instance, you do not know?—We do not know anything about it.

12695. You propose that one-third or half of this should be thrown open to competition?—Yes.

12696. You say that by preference you would take away the two from the University: you say the two places which are filled on the recommendation of the University should be thrown open to competition?—Yes.

12697. Surely there is a greater amount of mere nomination in the case of those who are recommended by the Commissioners, than in the case of those who are recommended by the University?—My idea is that the persons whom the University nominates are the representatives of the highly educated classes.

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12698. That would free only two appointments?—I have not limited it to two; I have suggested half or more.

12699. You are not particular about the University men alone being treated that way?—No: I would leave it to the discretion of the Government.

12700. (*Mr. Sly.*) You object to this probationary period of two years, and that is because it is not enforced in the Judicial Service?—That is my objection.

12701. Is it not reasonable that a man who is appointed to the Judicial Service, and who has passed the Law Examination and is acquainted with law and is in a position to start his work in court, should have no probation?—I do not object to the probation period; but what I say is that the probationary period should count towards service. The probationary period counts towards pension not only in the Judicial, but in the other branches of the service.

12702. But in regard to other services we recruit men who are competent to take up the work at once?—Not quite necessarily; in the police they have a probationary period, but that is counted for pension. The system is the same there; they are not quite fitted to take up the work at once.

12703. In answer to question (47), you refer to the withdrawal of the privilege of presentation at the Governor's levée. Do you know why that was withdrawn?—I do not know that; but I believe that one reason was the money test.

12704. Was it not the case that the test of income was laid down in regard to the other services, and also in regard to non-officials, simply for the purpose of reducing the presentations at the levée which had become so large as to be impracticable?—May have been that; but whatever it may be the effect is there.

12705. It does not mean that any special slur is cast upon them?—But it is felt none the less. In this country, much importance is attached to these little things; and even this money test will not satisfy the people in this country. Here, more respect is shown to a poor person, if he comes from a good stock, than the richest millionaire.

12706. Your other desire is that the members of the Provincial Service, the Deputy Collectors, should have the honorary title of Rai Bahadur and Khan Bahadur. Have you ever heard that the title of Rai Bahadur is, in common parlance among Indians, used as an English equivalent of "fool"?—I do not know this; but the title has been so much lowered recently by being bestowed on unworthy persons, that it may be so. Times when it was very much respected.

12707. Would you like to see it restored to the Provincial Service?—Yes, for the sake of the service. Personally, I am not at all fond of titles. I never sought any.

12708. Another thing you object to is the inspection of the work of the Deputy Collectors by the Superintendent of the Collectors' office?—Yes.

12709. Is it not also the case that the Sherishtadar of the Commissioner's office inspects the office of the Collector?—Formerly the Commissioner used to take his Sherishtadar for inspection work, but that has been stopped.

12710. You want to have the thing stopped in the same way in regard to inspection by Superintendents of Collectors' offices?—Yes: this is very much resented.

12711. It is only the inspection of the routine work of the office?—The ministerial officer arrogates to himself the powers which he does not possess and becomes obnoxious to the gazetted officers.

12712. So, you want it stopped?—Yes, I have suggested a remedy. I believe there is an arrangement like that in Madras, that is, to appoint a Deputy Collector as Personal Assistant to the District Collector; he being a gazetted officer, no one would object to his inspections, just as Commissioners have personal assistants, who are Deputy Collectors, and who record resolutions, to which no one objects.

12713. (*Mr. Madge.*) You have stated what the difficulty is; but you have shown us no way of escape from it. You think you approve of nomination, but you object to some nominations over the heads of others, and you have said that this difficulty occurs in no other service. I should like to point out to you that it does occur in other services. If you want instances, I can give you one which happened during the last few weeks?—If it does exist there, it is objectionable none the less.

12714. What is your escape from the difficulty? Suppose you approve of nominations and suppose Government comes across a good man in the service, or a good man whose appointment has been abolished, and for whom it is bound to provide elsewhere, your only recommendation is that he should begin at the bottom of the service?—Yes.

12715. Unless rules will admit of that being met by personal allowance, how else would you get him a place?—Let the Government give him a personal allowance; we do not object to it. But he should not be placed above other officers, thus blocking their promotion. The Government might give him even a pension; we do not object to it.

12716. You think that the grant of a personal allowance would be one way to correct this difficulty; we are trying to find out the practical difficulties?—We do not object to that.

12717. If you will allow me to finish the question, you will be able to follow us, and we can follow you. You think that is a practical way of escaping from the difficulty?—I do not think I would like that arrangement; but if no better arrangement is possible, that might be done.

12718. At least, it will be better than putting these officers over the heads of senior men. Have you any better practical suggestion to make?—No, the only suggestion that I had, I have already put there.

12719. Are you aware of any cases in your service in which a man has been recommended for promotion to the listed service, strongly recommended more than once, but owing to a change in his superior officer, somebody else had been recommended in his place: are you aware or are you not aware of such cases?—Will

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you please tell me once more what your question is ?

12720. I put it with reference to what you have said : are you aware or not of cases in your department in which a man had been recommended for promotion to the listed service, recommended more than once, but owing to a change of his superior officer, somebody else was recommended in his place?—I do not know of such instances.

12721. You said something about privilege leave. I do not think your point was made clear. Privilege leave is granted for one month in a year, but you can get cumulative leave only for three months, and your point is that even though you have earned six months' leave after six years' service, you cannot get four months' leave even if you are willing to forfeit two months' leave?—Yes; at present we forfeit three months and get only three months' leave.

12722. Your point is that you are willing to forfeit two months' leave in order to get four months' leave continuously?—Yes.

12723. (Mr. Abdur Rahim). You have been saying, in the course of your evidence, that the Provincial Service has certain grievances. I want to know whether, in writing out your answers, you consulted the other members of the Service?—Many of them : we held a conference.

12724. Did you consult Mr. Krishna Kali Mukharji?—He was also there ; we consulted him ; we received written representations from the different members of the service.

12725. I should like to get information from you about the status of Muhammadans in the service at the present day and their educational status. Have you noticed much improvement in their educational status in the last ten years?—I think there has been a decided advance.

12726. Have there been more graduates than there used to be?—Certainly.

12727. Taking the last five years, has the number of graduates increased?—I have not studied the statistics ; but my general impression is that there has been a distinct advance in the number of graduates during the last five and twenty years.

12728. Is that increase mostly noticeable in Eastern Bengal or in Western Bengal also?—In both the Bengals. It is particularly so in Eastern Bengal. I am not quite certain about the matter, as I have not studied the figures.

12729. I suppose you know that fifteen or twenty years ago the Muhammadans were still more meagrely represented in the service than now?—I am not quite certain of that, because I have not compared the figures.

12730. Has not there been any improvement in their status in the service within the last five years?—I should think so ; as far as I know more Muhammadans are in the service.

12731. Within five years, there have been many more?—Yes, certainly.

12732. In Eastern Bengal more Muhammadans have been appointed, and I take it that their advance in education has been comparatively more rapid, since they have been given more places in the Government service?—Indirectly, I think it must have that effect ; I should think

so. It generally gives them an impetus. Moreover, a Muhammadan officer is likely to take more interest in Muhammadan education.

12733. You mean he helps to advance Muhammadan education?—Yes ; without suggesting any comparison, it is only natural.

12734. It would not be partiality to encourage education?—No, not to the exclusion of Hindus.

12735. I did not mean that ; I did not suggest anything of the kind. Kindly listen to what I say and you will follow me better. You say that some Muhammadans got in by competition?—I do not think they got in by competition ; but by a combined system.

12736. No one got in by competition?—Not a single man in the open competition, in the first four.

12737. Those who competed did not get in by competition?—I have never suggested that.

12738. I understand that the resolution of the Bengal Government to which you refer in your answer to question (6) provides for an examination, and in that examination the Government takes the first few according to the number of marks gained by them, and as regards the others, if it is found that they attained a certain standard of efficiency in the examination then the Government makes selections from among them. So, they get in by selection though they have passed a certain examination?—Yes.

12739. Is that resolution still in force, or has it been done away with?—That has been replaced by the present system.

12740. Can you tell me what is the merit of such a system of selection, as distinguished from a system of selection from among the graduates of the University?—There is some test.

12741. Yes, they should be graduates of the University?—I do not quite follow.

12742. You say there was a selection, partly by a competitive test and partly by pure nomination?—Yes.

12743. If you were to select from the graduates of the University it would be selection?—Yes, it would be.

12744. Except a few places which are allotted on the results of the examination, pure and simple, the rest are appointed by selection?—That system can be slightly modified. What we want and insist upon is that the Muhammadans, who get the highest marks, should be selected ; but the old system gives the Government the fullest discretion.

12745. You want that, so far as Muhammadans are concerned, that is, among those who are appointed from that community—you want a competitive examination?—It comes to that ; the feeling is that they should be given at least the chance of competing with the others for the first four places.

12746. What I understand is that you want open competition for certain places—two places?—Two or any number.

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[concluded]

12747. About the rest, you want competition among Muhammadans for certain places, and you will have still some other places left open to be filled by selection, pure and simple?—Not quite that. I have suggested two alternatives: one is to maintain the present system of nomination to some extent, and to throw open half or one-third of the number of posts to pure competition; that is one thing. Another thing is that we revert to the old system with a slight modification. Under the old system, selection was left to the discretion of authorities pure and simple; but I want that to be limited to the number of marks obtained.

12748. One reason why the Bengal Muhammadans are wanting in education is the poverty of the Muhammadan population?—Yes: as far as I know, they are rather poor.

12749. That is one of the chief causes that they have not been able to avail themselves of the educational facilities so much as the other communities?—Yes.

12750. I think it is in your experience that many of those Muhammadans who educate their children in English schools and colleges are men who are in Government service?—Yes, the Government service or... ..

12751. Or in the professions,—those are the two classes?—Yes.

12752. If any scheme be devised by which Muhammadans are excluded altogether from the Government service, the result will be a great deterioration in their education?—Certainly, of course, if they are altogether excluded.

12753. Suppose there is open competition, pure and simple, for the Provincial Service, past experience has shown that Muhammadans will be totally excluded without any exception?—Yes.

12754. Don't you think that it will have a most injurious effect upon their development?—I would certainly object to that sort of pure competition.

12755. Even as regards the Indian Civil Service, do you think that the Muhammadans of Bengal will get in by competition?—Not the Indian Civil Service; I do not think they can quite yet. Some of them might get into the Indian Civil Service as they now do in England; some of them might, but not many of them.

12756. I want to know something about the confidential reports of superior officers to

which you refer in answer to question (17): you say there is no communication made of the opinions of the superior officers; they are not communicated to the officers concerned?—Only when bad remarks are made they are communicated, but what we want is that they should be communicated whether they be good or bad. We should know what remarks are made, that is the feeling in the service. At present, only if the remarks are bad, they are communicated to us.

12757. I suppose they are communicated in order to serve as a sort of warning for the future?—To some extent; but it is not intended as such.

12758. You do not know to what extent the Government, in making promotions, is influenced by these observations, do you?—The Government is influenced to a great extent; our promotions are affected by these remarks.

12759. I think you mentioned that those remarks are often very divergent?—I should think so.

12760. (*Mr. Mukherji.*) Would you like that good remarks also should be communicated to officers concerned?—That is the feeling.

12761. The reason being?—We may know where we are; if we are superseded we might know why.

12762. Just one word more with reference to your answer to question (24). While explaining it to the Chairman, you said that what you meant to say was that after 1909 lower grades were added to, but the higher grades were left as they were before, so that matters have become worse for those who had entered the service since?—Yes, promotions became blocked.

12763. (*Mr. Sen.*) You seem to be dissatisfied with the present leave rules?—Not wholly. As regards furlough, I have suggested some modifications and also in regard to privilege leave.

12764. Do not you think that the rule should also be amended, viz., the rule which says that a man cannot take privilege leave after he joins within six months?—If some such concession is made, it would be welcomed.

12765. Do not you think that, when he has privilege leave to his credit, he should not, either if he suddenly falls ill or has very urgent business to attend to, be able to take it till after six months of his joining: don't you think that is hard?—That is a hardship.

(The witness withdrew.)

KRISHNA KALI MUKHERJI, Esq., Personal Assistant to the Commissioner of the Presidency Division.

Written answers relating to the Provincial Civil Service.

12766. (1) Please refer to Government of India Resolution No. 1046-1058, dated the 19th August 1910, defining the general conditions which should govern recruitment to the Provincial Civil Service, and reproduced as Appendix A. Are these conditions suitable, or have you any recommendations to make for their alteration?—Generally speaking, the conditions laid

down in the Government of India Resolution are suitable. Many officers of the Provincial Service consider Rule VIII to be open to objection, as likely to operate with hardship on the members of the service generally. If of younger age than other officers of the grade to which they are appointed, the new officers are likely to cause a block in the promotion. The rule itself says that this power will be exercised by the Government of India in very special cases. I am not aware how many such appointments

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have been made by the Government of India. I would suggest that a proviso be added to the rule to the effect that the Government of India will not exercise this power except in the interests of the Administration, and that the restriction as to the necessity of having a thorough knowledge of the vernacular be applicable not only to the Judicial branch as laid down in the rule but to the Executive branch also. Rule VI is also objected to by many officers who consider that the Provincial Service should be officered only by the Statutory Natives. Opinion on this point is, however, divided. As regards Rule VII, the general feeling is that promotions should be given ordinarily up to the grade of Rs. 500 according to seniority. In the Judicial branch the question of selection comes when a Munsif has to be promoted to the appointment of a Sub-Judge, and as the pay of the first grade Munsif is Rs. 500 at present, I presume the rule will be altered on the judicial side.

12767 (2) Please supply a copy of the rules for the recruitment of the Provincial Civil Service in force in your province. Are these rules suitable, or have you any recommendations to make for their alteration?—Under the existing rules, three appointments are given by promotion from the subordinate service. The general opinion amongst the members of the Provincial Service is that this number should be raised. Possibly, this will be practicable when the question of the normal rate of recruitment has been finally decided. In fixing the number of appointments by promotion it has to be taken into consideration that the officers, when entering the service, will be above the age of the ordinary recruits and, in the ordinary course, will therefore retire sooner. As regards direct recruitments the general opinion is that, barring the appointments retained by the Governor in Council, the appointments should be thrown open to competition. The matter will be further referred to in answer to question (6)

12768. (6) What is your experience of the officers selected by the different methods of recruitment, which method has proved the most satisfactory, and what changes, if any, in the present system of recruitment do you recommend? For direct recruitment do you recommend (a) open competition, (b) nomination, (c) combined nomination and examination, or (d) some other method? Please describe fully the system that you recommend?—The general opinion amongst the officers of the Provincial Civil Service is that the present system of selection by nomination is not suitable, and that it should be replaced by competitive examination, subject to certain limitations with a view to secure the adequate representation of the different communities. There is a difference of opinion as regards the details. Many are of opinion that half the number should be given to those who obtain the highest number of marks. The remaining half should also be chosen from amongst the examinees, but regard should be had to the claims of communities not represented by the first half. Subject to this reservation, the selections amongst those should, however, be made according to the number of marks obtained at the competitive examination. This scheme is practically based on the principles accepted in

the Appointment Department resolution of the 24th April 1889. There is this difference: the proportion fixed in that resolution for appointments according to the number of marks obtained in the examination and according to other claims, is two-thirds and one-third. According to the resolution, the only restriction on the discretion of Government in making selections, is that the candidate must have obtained one-third the total number of marks at the examination. Here the proposal is that no discretion should be left in the matter, but amongst the candidates selected according to the claims of particular communities, etc., the final selection should be made according to the number of marks obtained. In my humble opinion, the existing system of recruitment is not satisfactory and should be altered for the following reasons:—(i) As a rule, so many qualified candidates come forward that it is very difficult to discriminate between the conflicting claims. Selections, however carefully they may be made, give rise to dissatisfaction. (ii) The nominations by the Syndicate of the University are intended for graduates of academical distinction. These are supposed to correspond to the officers formerly selected by the competitive test. The University nominations have no doubt given some very good officers to the service. I would point out, however, that when the Dacca University is established there will be practical difficulties in securing nominations by this method. The number of vacancies is so small that it will be difficult to divide them between the two Universities, having regard to the fact that only the colleges at Dacca will be attached to the Dacca University. I do not see any solution of the difficulty except by competitive examination, if the classes now secured by the University nominations are to be reached. It may be required that only candidates approved by the District officers and Commissioners should be allowed to compete. Owing to the separation of Bihār and Orissa, the communities whose claims Government will have to safeguard specially are the Muhammadans and Christians (including Anglo-Indians). The sons of loyal and faithful Government servants and loyal families having a special claim on Government, will require consideration. This object can be secured by reserving half the appointments in the manner indicated above. Any inequalities that may still exist can be redressed by the appointments retained by the Governor in Council.

12769. (7) To what extent are non-residents of the province employed in your Provincial Civil Service? Do you consider that only residents of the province should ordinarily be recruited?—Ordinarily, only residents of the province should be recruited, but the rule need not be a hard and fast one.

12770. (8) Are all classes and communities duly represented in your Provincial Civil Service? Do you consider that this is desirable, and what arrangements do you recommend to secure this object?—All communities are not duly represented at present. I consider it to be desirable that all communities should be duly represented. Education is now more widespread than formerly in the Muhammadan community.

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If the arrangements recommended in question (6) are adopted, they are likely to secure the due representation of the different communities in the service.

12771. (9) What is the system of training and probation adopted for officers of the Provincial Civil Service? Do you consider it satisfactory, and, if not, what alterations do you recommend?—The rules for training for junior officers and probationers are contained in Appendix IX to the Appointment Department notification No. 3388, dated the 14th September 1912. They are suitable so far as they go. But along with the training there should be a system of examinations to be held periodically by the District officer or a Deputy Collector, with a view to test the progress made by the probationers. Such examinations should ordinarily be *viva voce*, but the result should be reported to Government and should be taken into consideration at the time of confirmation.

12772. (10) Is the existing system of departmental examinations suitable, and, if not, what changes do you recommend?—Yes. The only change I would recommend is that for the Provincial Service précis-writing and letter-drafting may be made a subject for departmental examination.

12773. (15) What is the annual rate of recruitment and how is it fixed? Has it worked well in practice and does it secure an even flow of promotion?—The question of revising the rate of recruitment is under the consideration of Government—*vide* Government notification No. 3071 A.—D., dated the 20th August 1912.* It is to be feared that there has been over-recruitment in the past, as latterly probationers have not been provided with appointments within a reasonable limit of time. Some have had to wait for more than two years.

12774. (16) To what extent is any system of selection for appointments to the higher grades enforced? Is any change of practice required in this respect?—The general impression is that the system of selection to the higher grades is enforced more rigorously than necessary in the interests of the Administration. At any rate, similar complaints are not made in the Judicial branch, where also the promotion from Munsifs to Sub-Judges is made by selection and not by seniority. I am not aware what the difference in the procedure is in the two branches. The selections must necessarily be made on the report of District officers and Commissioners, but there is a general feeling that copies of such reports, whether favourable or unfavourable, should invariably be communicated to the officers concerned. At present only unfavourable remarks are communicated. When a Joint-Magistrate is promoted to be a District officer, his responsibilities are considerably increased. That is not the case when a Deputy Magistrate on Rs. 400 is promoted to the grade of Rs. 500. He has to do precisely the same kind of work as he was doing when drawing Rs. 400. As an incentive to good work and for the purpose of discouraging bad work, it is right that a limit should be laid down, beyond which promotion can be obtained not according to

seniority but by merit. But the circumstance I have stated above, is an argument in support of the contention that the test should be less rigorous than in the case of superior posts in the Indian Civil Service.

12775. (17) Are you satisfied that under the existing system of promotion the interests of individual officers and of the Administration are duly reconciled, and have you any suggestions to make regarding it, particularly on the subjects of selection for higher appointments and of the compulsory retirement of inefficient officers?—The general impression is that the test applied in making promotions is often too rigorous. I believe that the previous records for a certain number of years are considered at the time of promotion. I cannot suggest any other system, but it has to be borne in mind that the opinions recorded about the same officer are often very divergent. For the reasons given in answer to question (16) the test applied might, in the interests of both individual officers and of the Administration, be less strict than at present. I do not think that the same reasons for compulsorily retiring inefficient officers exist in the case of Provincial Service as in the case of the Indian Civil Service. The work done by the members of the Provincial Civil Service is of great variety, involving various degrees of responsibility. It can only rarely happen when work suited to the capacity of an officer cannot be found, unless he is flagrantly inefficient. The principle of compulsorily retiring an officer for inefficiency, if adopted, is likely to produce a feeling of insecurity in the service.

12776. (19) Are you satisfied with the existing arrangements by which certain posts, ordinarily filled by members of the Indian Civil Service, are listed as open to officers of the Provincial Civil Service, of proved merit and ability, and is the system followed in making appointments to these posts suitable? If not, what alterations do you suggest?—The number of superior posts listed is at present 8 out of 90. The general opinion is that this number may be increased, and that 6 districts may be given to the Executive branch. Opinion amongst the members of the Provincial Civil Service is divided as to the manner in which the listed posts should be filled up. Some are of opinion that the posts should be filled up from among senior men, while others think that younger men should be selected. In the latter case there is a risk of causing dissatisfaction amongst the senior men; on the other hand, there is a risk of failure if the senior men are selected. In the interests of Administration the selection should be made as a rule from among comparatively junior officers.

12777. (20) Are you satisfied with the system by which most of the inferior listed posts are merged in the Provincial Civil Service? If not, what change would you suggest?—The system of merging the inferior listed posts has resulted in no benefit to the Provincial Civil Service.

12778. (21) Are you satisfied with the present designation "the Provincial Civil Service"? If not, what would you suggest?—I have no objection to the designation "the Provincial Civil Service."

12779. (22) Do you accept as suitable the principle recommended by the Public Service Commission of 1886-87, and since followed, that the

* *Vide* page 322.

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conditions of the Provincial Civil Services as regards salary should be adjusted by a consideration of the terms necessary to secure locally the desired qualifications in the officers appointed? If not, what principle do you recommend?—Yes, but another determining factor is that the salary should be such as to enable the officer to maintain his position in society, consistently with the prestige of the office held by him.

12780. (23) Please give full information regarding the rates of pay and the number of posts in each of the main grades of the Provincial Civil Service authorized on the 1st April of each of the following years:—1890, 1900, and 1912. When was the last general reorganization effected, and what improvement of prospects was effected thereby?—The last general reorganization was effected in 1906. I understand that the grading was adjusted on an actuarial basis. Whether this was so or not, the reorganization did not, so far as I can see, better the prospects of the members generally, at any rate to any marked extent. It no doubt brought much-needed relief to a large number of officers who had been previously hard-worked. The reorganization was, however, followed by a large number of special promotions, which no doubt benefited the officers promoted, but the position of others was made distinctly worse by the promotion of younger men over their heads.

12781. (24) Are the existing rates of pay and grading in the Provincial Civil Service of your province adequate to secure the desired qualifications in the officers appointed? If not, what alteration do you recommend?—Owing to the enormous increase in the cost of living of late, it will be more and more difficult to secure really qualified men on the existing rates of pay, which should therefore be raised. The general opinion of the members of the service is that the rate of pay should be as follows:—

| | |
|------------------|------------------------|
| Probationers ... | Rs. 150 |
| Last grade ... | Rs. 250 as at present. |

Two grades of Rs. 900 and Rs. 1,000 should be added. They think there should be more men in the top grades (the number in the grade 600 and above being one-third of the total number). There has undoubtedly been a block in the promotion. There are men still in the fifth grade who have put in 18 or 19 years' service, and men with 27 years' service have not yet reached the second grade. The cadre should be so adjusted that, in the ordinary course, the first grade may be reached in 25 years. If the present grading is based on actuarial calculations, there must have occurred disturbing factors which have interfered with the flow of promotion.

12782. (25) Are you satisfied with the present system under which officiating promotions are not made in the Provincial Civil Service? If not, what alteration do you recommend?—The general opinion is that officiating promotions should be made in the Provincial Service. In the case of the Indian Civil Service the system of officiating promotions might have been introduced for a special reason, but that is not a sufficient ground for not introducing it in the Provincial Service. Officiating promotions will not be necessary in case time-scale of salary is allowed.

12783. (26) What is your opinion regarding the substitution of a time-scale of salary for the existing graded system of promotion? If you are in favour of a time-scale, should it be restricted to the lower grades of the service, or not?—In my opinion, a time-scale of salary will be much more advantageous than the existing graded system of promotion, and this is also the opinion of many other members of the service. In the opinion of the majority, there should be time-scale up to Rs. 500, to be reached in 12 years, and this should also be the limit of promotions according to seniority.

12784. (28) What is your experience of the practical working of time-scales of pay in other Indian services?—I have no experience of the practical working of time-scales of pay in other services.

12785. (29) If you recommend any kind of time-scale of pay, please describe the scheme that you propose, and state what conditions should be laid down in regard to the grant of increments, promotion to superior grades, charge allowances and other matters of importance? How do you propose to apply such time-scales in provinces where the scale of pay of the Executive and Judicial branches of the service is different?—The following time-scale may be introduced:—

| | Rs. |
|---------------------------|-----|
| First year of service ... | 250 |
| Second " " ... | 250 |
| Third " " ... | 250 |
| Fourth " " ... | 300 |
| Fifth " " ... | 300 |
| Sixth " " ... | 350 |
| Seventh " " ... | 350 |
| Eighth " " ... | 400 |
| Ninth " " ... | 400 |
| Tenth " " ... | 450 |
| Eleventh " " ... | 450 |
| Twelfth " " ... | 500 |

The first increment should not be granted until the departmental examinations are passed, and all increments should be given for approved service only. If the time-scale is limited to Rs. 500, I do not see why it cannot be adopted in the case of the Judicial branch also; the pay of first-grade Munsifs is now Rs. 500.

12786. (30) Do you approve of the arrangement by which officers of the Provincial Civil Service holding listed posts draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various appointments?—Many officers of the Provincial Civil Service are of opinion that officers of that service holding listed posts should be paid approximately at the rate of four-fifths of the pay drawn in the same posts by members of the Indian Civil Service.

12787. (31) Is there any reason to suppose that officers of the Provincial Civil Service take more or less leave of any particular kind than they did 5, 10, 15, or 20 years ago? If so, to what is this due?—My impression is that officers now take more privilege leave and furlough than formerly. Formerly, there was no leave reserve and application for privilege leave, unless required on medical grounds, used to be often refused.

12788. (32) Is all the leave on full pay due to them ordinarily taken by officers of the

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Provincial Civil Service, and, if not, what are the reasons? Is the amount which can be earned, in your opinion, suitable? If not, what alternative arrangement do you suggest?—No. The reason often is that when a man is posted at a good station he does not like to go on leave, as he is generally transferred on the expiry of his leave. The amount which can be earned is, in my opinion, suitable.

12789. (33) Is all the furlough due to them ordinarily taken by officers of the Provincial Civil Service? Is it necessary to allow for as much furlough as is permissible by the present rules. If not, what change do you suggest?—All the furlough due to them is not ordinarily taken by officers of the Provincial Civil Service. Furlough is usually taken by officers when in bad health, and it would be a great convenience if it is allowed to be taken at shorter intervals, e.g., 6 months at the end of 5 years' service, 1 year at the end of 10 years' service, 18 months at the end of 15 years, etc.

12790. (34) Do you consider that the rates of furlough allowances are suitable? If not, what changes do you recommend?—The present rate of furlough allowance is suitable.

12791. (39) Do any of the present leave rules press hardly in any way on officers of the Provincial Civil Service, and, if so, in what respects? What is, in your opinion, the appropriate remedy? In particular, do you regard the existing differences between the leave rules for the European and Indian services as suitable?—(i) I would suggest that privilege leave may be allowed to be combined with furlough or medical leave without any restriction as to the minimum period. Under existing rules, the combined period must not be less than six months (Article 233, Civil Service Regulations). (ii) Leave on medical certificate is not admissible after 55 years of age (Article 345, Civil Service Regulations). This restriction may be removed.

12792. (40) Is the present system of superannuation pensions satisfactory in the interests

both of the Government and the members of the Provincial Civil Service?—Yes.

12793. (42) Do you approve of the grant of reduced pensions for such officers as may be found to be inefficient, but whom it may be difficult to retire without some provision for their subsistence? If so, what do you suggest?—If inefficient officers are retired before their time, pension should be granted to them on a reduced scale, the allowance not exceeding two-thirds of the pension that would have been admissible if the officer had retired on medical certificate. This is the scale laid down in Article 353, clause 2, Civil Service Regulations, but there should be no restriction as to the pay (as in clause 1).

12794. (43) Do you approve of the present system regulating the pensions of officers of the Provincial Civil Service holding listed posts? If not, what do you suggest?—An additional pension of Rs. 1,000 may be granted to these officers, as in the case of the appointments enumerated in Article 475, Civil Service Regulations.

12795. (44) Do you consider that the existing rules governing the voluntary and compulsory retirement of members of the Provincial Civil Service are satisfactory? If not, what changes do you recommend?—The period of voluntary retirement should be reduced to 25 years. Compulsory retirement should ordinarily be enforced at 55, but some senior officers think that this rule should be only gradually introduced.

12796. (47) Have you any other proposals to make in regard to the Provincial Civil Service not covered by your answers to the above questions? If so, please explain them?—In many places the number of officers is still inadequate, and many officers think that the existing strength should be raised by one-sixth. It is also the general opinion that the whole of the Service should be treated as first-class officers irrespective of pay, as regards travelling allowance and other privileges. At present only officers drawing Rs. 600 and above are so treated.

MR. KRISHNA KALI MUKHERJI called and examined.

12797. (Chairman.) You occupy the position of Personal Assistant to the Commissioner, Presidency Division?—Yes.

12798. How many years' service have you?—Twenty-seven years' service.

12799. What is your caste?—Brahman.

12800. I gather from the answers you give to the questions that you are giving not only your personal opinions, but the opinions which you deem to be prevalent among the officers of the Provincial Service?—I have ascertained the opinions of others, and I have given also my own opinions. Where I do not agree with the opinions of others, I have given my own opinions also.

12801. To what extent do you represent the opinions of others?—A meeting of the officers in Calcutta and the suburbs was called and there was a discussion about the matter; and then there was a reunion of the members of the Provincial Service during the Christmas and there was a discussion,

and I ascertained their opinions also. There were about fifty officers present there. I also wrote to several officers in the districts, and asked them to ascertain the opinions of the brother officers there. I got their opinions also, so that these answers represent the opinions of the majority of the officers whom I consulted.

12802. Are you satisfied with the present system of nomination to appointments in the service?—I am not.

12803. You desire to see a system of competition introduced?—Yes, a modified system of competition.

12804. To what extent will you still retain the system of nomination?—There should be some appointments reserved for the patronage of Government; but all the others should be thrown open to competition. Of those thrown open to competition half the number of appointments should be given to candidates who obtain the highest number of marks, and the other

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half should be given to those selected from those who come below them, so that all the communities may be represented.

12805. Do you mean that half the number should be thrown open to competition, and that the remaining half should be divided among the communities?—What I meant to say was that there should also be a few reserved for nomination, and a few should be given by promotion from the subordinate service.

12806. You will have three different sources: a certain number nominated by Government, a certain number promoted from the subordinate service and a certain number recruited through competition?—Yes.

12807. You do not advocate retiring officers for inefficiency?—I do not advocate it.

12808. What is your reason for it?—It will produce a feeling of insecurity in the service. Officers will not be secure in their service. There can be cases in which it may be so carried out as to lead to injustice.

12809. That is merely a question of the capacity of those who are to judge. It would not introduce any sense of insecurity among the officers if the cases were dealt with by an impartial officer on their merits?—If there is such an impartial authority, it would be all right, but it will depend upon how the thing is carried out in practice.

12810. Do you admit that, if a system of this character is not introduced, you cannot hope for efficient administration?—In cases of flagrant incapacity, they can be retired even now, for any fault committed by them.

12811. That is for misconduct?—Yes.

12812. You quote the opinion of those with whom you had a conference as being in favour of increasing the number of listed appointments?—Yes.

12813. Can you say to what extent you would like to see them increased?—I have said that six districts should be given, but I have not formed any opinion, and those whom I consulted have not any definite opinion on the matter.

12814. You say that it will become more and more difficult to secure really qualified men on the rates of salary now given to the Provincial Service. Do you mean by that that even now, in your experience, qualified men are not forthcoming?—I cannot exactly say that; but it will come to that. That is what I apprehend.

12815. You anticipate that this may take place in the future if the rates of salary are not raised?—Yes.

12816. In your answer to question (15) you say that it is to be feared that there has been over-recruitment in the past, and later on, in answer to question (47), you say that many officers think that the existing strength should be increased by one-sixth. How do you reconcile these two statements?—What I meant to say was that there was over recruitment in the past; but the work is increasing, and for that reason many officers think that there should be greater recruitment.

12817. So that, to that extent, you would modify the statement that there are too many officers in the service?—There were too many in the past.

12818. You think that more officers are required to carry out the duties of the service?—Yes.

12819. In what branch of the service is the recruitment, in your judgment, at present, deficient?—In the Executive branch.

12820. What posts do you consider should be increased in number?—Deputy Collectors and Deputy Magistrates both.

12821. (Sir Murray Hammick.) What do you mean by your statement that there is over-recruitment for the existing cadre of appointments? Do you mean that too many have been taken into the service and they do not get promotion quick enough?—There has been recruitment more than there should have been according to vacancies.

12822. That is they had too many appointments for the cadre. They took in too many men to fill the existing appointments, which makes promotion difficult?—Yes.

12823. That is what you mean? You do not mean that there are too few appointments. You say that the recruitment is too great to fill the existing appointments on account of which you find a block?—Yes.

12824. How did you get into the service? Were you nominated from the subordinate service?—Through competition.

12825. You have been in the service for 27 years. Was there competition 27 years ago by which you got into the service?—Yes.

12826. Several witnesses whom we have had, have suggested that if you have simultaneous examinations, the number of listed posts should be reduced and not increased; but you suggest an increase in the number of listed posts. What do you think would be the effect on the Provincial Service which would be brought about by reducing the number of listed posts?—If there are simultaneous examinations, there should be no listed posts.

12827. Do you not think that it would have a bad effect on the recruitment of the Provincial Service?—I do not think so; because the best men will try for the simultaneous examination, and you will get an inferior set of men into the Provincial Civil Service.

12828. That would be so?—Yes.

12829. Would you like to see the time-scale salary introduced?—Yes.

12830. Do you mean to say that it should go from the bottom to the top?—No, from the bottom up to Rs. 500.

12831. You do not think that it will have any effect on the efficiency of the service?—No. I think it will increase the efficiency of the service, because at present the promotions are blocked.

12832. Do you think that it will produce contentment and efficiency?—Yes.

12833. I should like to ask you this last question. In your reply to question (47), you say that the whole service should be treated as first-class officers, irrespective of pay?—Yes.

12834. You think that is a really serious grievance of the service?—I think so.

12835. It is felt as a grievance?—Yes.

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12836. That is to say, a Deputy Collector who draws Rs. 500 ought not to go by the second class when he travels; is that the case? That is felt as a real grievance?—Yes.

12837. (*Mr. Madge.*) In your experience as Personal Assistant to the Commissioner, as well as in your experience as a Deputy Magistrate and Collector, you have seen officers of the Provincial Service in other branches than your own?—Yes.

12838. Are you satisfied with the present designation "Provincial Civil Service"?—Yes.

12839. Do you think that the officers in your particular department are satisfied with it generally?—I think so, generally.

12840. Can you say that of the officers of the other departments which were formerly called "Uncovenanted" but now called "Provincial"?—In the Public Works Department, I think, they were not satisfied with the division between the "Provincial" and the "Imperial."

12841. In any other department?—I am not aware of any other department.

12842. Would you be surprised to hear that there is considerable dissatisfaction in the service formerly called "Uncovenanted" and now called the "Provincial" on the ground that it seems to have created a bar to promotions?—I cannot say of other services, but in our service, the designation "Provincial" has not changed the feelings of the members in any way.

12843. You want the number of listed posts to be increased with the object of facilitating promotions from the Provincial Service into the higher grades?—Yes, that is so.

12844. That is one of the principal objects you say?—Yes.

12845. (*Mr. Macdonald.*) You say that, if the listed posts were taken away from the Provincial Civil Service, in consequence of the simultaneous examinations, an inferior body of men would come into the Provincial Service?—Not exactly that. The best men would go in for the simultaneous examinations, and those who are inferior to them will go in for the Provincial Service. Now, the best men also go in for the Provincial Service.

12846. You mean that the system of simultaneous examination would allow good men, who now go to the Provincial Service, to go into the Indian Civil Service?—Yes.

12847. (*Lord Ronaldshay.*) I have just two questions to ask you. The first is in regard to your answer to question (23). You say that the reorganization of 1906 prejudicially affected the position of certain officers in the service. Can you explain how this result came about?—I would modify one statement that I made there in reply to this question. I have said there "I understand that the grading was adjusted on an actuarial basis." I have now ascertained that this is not the fact. Then with respect to the other thing which I have said there, there was an increase in the cadre in that year, and many special promotions were given and many men were superseded and that led to discontent in the service.

12848. The other question I want to ask you is with regard to your answer to question (40). You say that the present system of superannuation pensions is satisfactory in the interests both of the Government and the

members of the Provincial Civil Service. We have had witnesses who suggest that it is not satisfactory. One of the objections raised by the last witness to the present system was that the first two years of the service do not count for pension? Is not that so?—Yes, that is so.

12849. You are quite satisfied that the system should remain as it is, as regards the first two years?—By that question I understood that the rule by which at present a man is superannuated at 55 was referred to and what I meant to say was that it was satisfactory.

12850. Would you like that the first two years of the service should count towards pension? Would you like the present system to be modified to that extent?—Yes.

12851. (*Mr. Bomras.*)—In answer to question (16), you say, like the last witness, that the remarks of District Officers and Commissioners made in their confidential reports should be communicated to the officers concerned?—Yes.

12852. Suppose that an officer does exceptionally good service, I suppose that is noticed every year in the published reports?—Yes.

12853. If unfavourable remarks are made they are communicated to the officers concerned?—Yes.

12854. But as regards the intermediate class of officers about whom the Government must know and receive reports, would it be of any good to communicate to the officers concerned the remarks made about them. Suppose a Collector says that a particular officer is honest and does good work, but is rather lacking in brains and stupid. Is it any good to tell the officer every year that he is stupid, seeing that he cannot remedy that?—When an officer is superseded he ought to know why he is superseded and ought to have an opportunity of representing his case, if he wishes to do so. The reason for his supersession may be communicated to him.

12855. Is there any good in communicating to him year after year the sort of remarks that I have referred to about him?—I know a case in which a superseded officer who wanted to know the reason for his supersession was merely told that his work was not satisfactory in every respect, but if he knew all the remarks made about him, he would have had a definite basis to make a representation.

12856. (*Mr. Mukherji.*) With regard to answer to question (24), do you know the number of men in the first three grades out of the total cadre of 299?—At present, there are 5 in the first grade, 7 in the second grade, and 16 in the third.

12857. That makes 28?—Yes.

12858. Will you tell me the number in the first three grades of Munsifs and Sub-Judges?—In the one case it is 9 per cent. and in another case it is 15 per cent.

12859. That is 44 out of a total cadre of 253?—Yes.

12860. That is much better?—Yes.

12861. (*Mr. Sen.*) You wish to see introduced the time scale system among Munsifs also?—Yes.

12862. In your answer to question (29) you say, "If the time-scale is limited to Rs. 500, I do not see why it cannot be adopted in the case of the Judicial branch also; the pay of the first grade Munsifs is now Rs. 500." Then you wish to introduce it amongst Munsifs also?—Yes.

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12863. Why not among Sub.-Judges? Would not there be a block in promotion among the Sub-Judges?—You mean in the higher grades?

12864. Yes?—If the cadre is properly adjusted that is not necessary. But I have no special objection to it. At the last Reunion of the services many officers would prefer to have it up to Rs. 500.

12865. You have no special objection to the introduction of the time-scale in the higher grades?—No objection.

12866. In answer to Mr. Mukharji, you have compared the number of Munsifs and Sub-Judges in the higher grades. Will you tell me the number of appointments in the Rs. 500 grade in your service?—Yes, there are 48.

12867. Among Munsifs there are only 12?—The number is smaller.

12868. You consider the Rs. 500 grade to be superior, because selection is made to the higher grades from the Rs. 400 grade?—My proposal is that selection by merit should come at the time of promotion from Rs. 500 or Rs. 600.

12869. I do not wish to compare the Judicial service with it; but if you take the appointments up to Rs. 500 amongst Munsifs and Sub-Judges, you will find that the number of higher appointments among Deputy Magistrates in the Executive service is greater than among Munsifs?—Yes, if you include Rs. 500.

12870. At what age do these Munsifs get Rs. 600 generally? At the age of 50 or 51

generally, that is the age at which a Munsif becomes a Sub-Judge?—That was the case formerly; but now promotion is quicker.

12871. Do you think so?—He gets it in 18 or 19 years.

12872. A Munsif is not confirmed until he is 31 or 32, and if you add 18 or 19 to it, it becomes 49 or 50, and the Munsif has to gallop through between Rs. 600 and Rs. 1,000 within six or five years?—That may be so.

12873. Do you think they are in a more favourable position than the Deputy Magistrates? Is not the average pay of a Deputy Magistrate greater than that of a Munsif or a Sub.-Judge?—They are in a similar position up to Rs. 600, but after that Sub-Judges are promoted to Rs. 800, while Deputy Magistrates are promoted to Rs. 700.

12874. They enjoy those grades only for four or five years, do they not?—Formerly, some were Sub.-Judges in 11 years.

12875. That was in by-gone days, and we are speaking of the present system?—I do not say that of your present system. I have not calculated it, but I think that at present the two branches are in the whole, probably, in an equal position.

12876. I think the average pay of a Deputy Magistrate is greater than that of a Munsif?—I have not calculated it.

(The witness withdrew.)

[Adjourned for a short time.]

A. K. FAZLUL HUQ, Esq., M.A., B.L., Pleader, High Court, Calcutta.

Written answers relating to the Indian Civil Service.

12877. (1) What is your experience of the working of the present system of recruitment by open competitive examination in England for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—A system of recruitment by open competitive examination is undoubtedly the best in principle, and seems to be particularly suited in the case of the Indian Civil Service. I believe the present system is, by common consent, the best that could be suggested, and is generally satisfactory in principle.

12878. (2) In what respects, if any, do you find the present system faulty in detail, and what alterations would you suggest?—My suggestions as to alterations in the present system will appear from the answers to subsequent questions.

12879. (3) Is the system equally suitable for the admission of "Natives of India" and of other natural-born subjects of His Majesty? If not, what alteration do you recommend?—No. The enormous expense involved in making a risky attempt to get admission into the Civil Service under the present system, almost shuts the door against a very large majority of the Natives of India. An obvious remedy is by introducing a system of simultaneous examinations in England and India, as to which I invite attention to my remarks in answer to question (6).

12880. (5) If you do not consider the present system of recruitment by an open competitive examination to be satisfactory in principle, please state what alternative you would propose?—I consider the system of recruitment by open competition as the best in principle, and have no alternatives to propose.

12881. (6) In particular, what would be your opinion regarding a system of simultaneous examinations in India and in England, open in both cases to all natural-born subjects of His Majesty?—I believe the opinions of the majority of the leading members of my community are against the introduction of any system of simultaneous examinations in India and England for the Civil Service, but I am prepared to differ from this majority if the sole ground of opposition to the introduction of this measure be the apprehension that it will spell disaster to the Mussalmans of India. I have no faith in these alarming possibilities. No doubt the Mussalmans will suffer initially, but the incentive to win the prizes of such a brilliant service will tend to bring them up to the intellectual level of the advanced communities of the country. Moreover, I consider it repugnant to our sense of self-respect that we should consent to remain for all time as a dead weight on other advancing communities, constantly hampering them in their progress. My opinion is that the system should be introduced, at first as an experimental measure, provided Government is prepared to waive other objections whatever they may be.

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12882. (7) What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service cadre by Natives of India, recruited by means of a separate examination in India, or by means of separate examinations in each province or group of India? If you favour such a scheme, what proportion do you recommend?—I am not in favour of such a system. Indians so recruited will be apt to be regarded by Civilians recruited in England as of inferior mental calibre. There will not be that feeling of comradeship between the two groups which I consider to be essentially necessary for the growth of a perfect harmony between the members of the services.

12883. (8) If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which Natives of India would be selected in India for admission to the Indian Civil Service by means of (a) nomination, (b) combined nomination and examination or (c) any other method? If so, describe fully what system you would recommend. In particular, do you consider it desirable that all classes and communities should be represented in the appointments so made? If so, how would you give effect to this principle?—I am not in favour of any system under which Natives of India would be selected in India for admission to the Civil Service by any of the means specified in the question. I am not in favour of any one method of recruitment for Natives of India and another for the other subjects of His Majesty. Under present conditions, it is perhaps desirable that all classes and communities should be represented in the Public Services, provided this end could be secured without impairing their efficiency. In the case of the Indian Civil Service, an attempt may be made to secure this end by means of careful selections of members of both the branches of the Provincial Civil Service to fill listed posts. It should always be possible so to regulate the appointments as to secure properly qualified officers on the one hand, and an adequate representation of divergent interests on the other.

12884. (9) If you are in favour of a system for the part recruitment of the Indian Civil Service by Natives of India in India, do you consider that "Natives of India" should still be eligible for appointment in England?—I have already expressed myself against a system of special recruitment in India for the Indian Civil Service, as suggested by the first part of the question.

12885. (10) Would you regard any system of selection in India which you may recommend for young men who are "Natives of India," as being in lieu of, or as supplementary to, the present system of promoting to listed posts officers of the Provincial Civil Service? If the former, what alteration, if any, would you recommend in the conditions governing the Provincial Civil Service?—My answer is in the negative. The present system of promoting officers of the Provincial Civil Service to listed posts is sound, and should be extended rather than curtailed in any way.

12886. (11) Do you recommend any separate method of recruitment for the Judicial branch

of the Indian Civil Service? If so, please describe the system which you would propose?—My answer is emphatically in the affirmative. Under present conditions, Civilians appointed to high judicial posts are called upon to perform duties for which they have had no previous training. It is but natural that, in these circumstances, they should occasionally betray a lamentable ignorance of law or legal procedure. At the same time they are daily brought into contact with well-trained lawyers, most of whom have attained to well-deserved eminence in the exercise of their profession. The contrast between the mental equipments of the Judge and the advocate or pleader for the discharge of their respective duties, is glaring and vivid, and very much to the disadvantage of the Judge. In making these remarks, I do not pretend to have said anything novel or new. Eminent men in responsible positions and fully competent to pass an authoritative opinion, have repeatedly denounced the present system and advocated a speedy reform. I think the question is not whether any changes in the present system are necessary, but what would be the best method of securing for the judicial posts the men who would be well-fitted to discharge their duties with credit to themselves and advantage to the public. I am very strongly of opinion that it is a mistake to make the District Judgeship practically a close monopoly for the Indian Civil Service. However brilliant an Indian Civilian may be as an administrator, and however well-fitted for the multifarious duties of an executive officer, he is occasionally lacking in that judicial temperament and legal knowledge which are essential to the making of a successful Judge. In place of the present system, I would propose as follows:—(a) Not less than two-thirds of the judicial appointments (other than Judgeships of the High Courts) should be made from the Bar; (b) the appointments should be restricted to Barristers, Advocates or Vakils of the High Courts who have practised their profession as such for not less than ten years, and attained to some eminence in such capacity; (c) the pay and emoluments should be liberal enough to attract really able men; (d) not more than one-third of the appointments should go to such members of the Civil Service as evince special aptitude for judicial work; (e) Civilian judges should begin as Additional Judges and should be gradually trained under the guidance of the District Judge in work of more and more increasing responsibility; (f) the pay and prospects in the judicial appointments should be good enough to attract first-rate men, or make it worth while for a Civilian to submit to the mental strain of a fresh training for judicial work. No doubt all this will require more money to be spent, but after all the Indian litigant contributes enough to the public revenues to be entitled to demand this extra expenditure to be made, to have his cases tried under the best conditions. No expense should be considered too great to bring about a reform, which is sure not only to be a boon to the public but to enhance public confidence in the fairness and impartiality of British justice.

12887. (12) If the system of recruitment by open competitive examination in England is retained, state the age-limits that you recommend

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for candidates at such examination, giving your reasons?—The present age-limits seem to be satisfactory.

12888. (15) What age-limits for the open competitive examination in England would best suit candidates who are Natives of India, and for what reasons? Do you recommend any differentiation between the age-limits for Natives of India and for other natural-born subjects of His Majesty?—I would consider the present age-limits as quite good. No differentiation seems necessary.

12889. (16) What alterations, if any, do you recommend in the authorized syllabus of subjects and marks prescribed for the open competitive examination?—I would strongly recommend that Persian may be added to the list of Oriental languages and included in the syllabus. Also that the marks allotted to the Oriental languages should be equal to those assigned to European classics.

12890. (17) Is any differentiation in the subjects for the open competitive examination in England desirable between candidates who are Natives of India and other candidates? If so, state them and give reasons?—No. I would object to the differentiation on principle.

12891. (19) Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the civil administration? If so, to what proportion of the posts included in the Indian Civil Service cadre do you consider that Natives of India might, under present conditions, properly be admitted?—I would consider that an irreducible minimum of European officers is indispensable, but what the minimum proportion should be, must vary from province to province. In Bengal, for instance, half may be adopted as this minimum. Subject to this minimum, Natives of India should be freely eligible for appointment to posts for which they are otherwise qualified.

12892. (21) Do you consider that the old system of appointment of "Statutory Civilians" under the statute of 1870 should be revived, and if so, what method of recruitment would you recommend?—Answer is in the negative.

12893. (24) What is your opinion of the system by which certain posts, ordinarily held by members of the Indian Civil Service, are declared to be posts (ordinarily termed listed posts) to which members of the Provincial Civil Service can properly be appointed?—I am in favour of the system, as the prospect of promotion to these listed posts affords food for legitimate ambition for capable members of the Provincial Civil Service.

12894. (29) Do you consider that candidates recruited for the Indian Civil Service by open competitive examination should undergo a period of probation before being admitted to the service?—Yes.

12895. (30) If so, how long, in your opinion, should this period be, and what course of study should be prescribed for the probationers?—The period of probation should not be less than one year. During this period the selected candidates, if Europeans, should be required to spend the period in India and to mix freely with educated, well-bred and cultured Indians, and try to

get an insight into the peculiarities of Indian life. The course of study should include instruction in the vernaculars of the province where the officer is to be ordinarily employed.

12896. (31) Do you consider that any differentiation is necessary between the course of study for probationers who are Natives of India and the course prescribed for other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend?—Yes. In the case of Natives of India, I would recommend that the probationary period may be spent in England and the officer given an opportunity of seeing the best phases of English life and character. I have nothing particular to recommend as to the course of studies except that they should be required to spend some time at one of the great Universities. In the case of European officers, I would recommend the same period of probation to be spent in India. For answer to the rest of the question, please refer to answer (30).

12897. (32) Do you consider that the probationer's course of instruction could best be spent in England or in India? Is your answer equally applicable to the case of Natives of India and of other natural-born subjects of His Majesty?—I have already said that in the case of Indians the period should be spent in England including a term at an approved University; and in the case of Europeans, the period should be spent in India.

12898. (33) Do you think it desirable to start, at some suitable place in India, a college for the training of probationers of the Indian Civil Service and possibly of other Indian services recruited in England?—No.

12899. (34) Do you think it desirable that each Provincial Government should arrange for the training of probationers by suitable courses of instruction for the whole or portions of the first two years of service at some suitable centre?—Please refer to my answers to questions (29) and (30).

12900. (36) Do you consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service? If so, what are the causes? Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages, and, if not, how could this best be remedied?—I cannot say if there has been any deterioration, because I am not aware what was the standard of proficiency attained by former Civilians. But I am not satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages at present. This could, to a great extent, be remedied by European officers mixing more freely with educated and cultured Indians than they are disposed to do at present.

12901. (37) Please give your views as to what steps (if any) are necessary to improve the proficiency in the knowledge of law of members of the Indian Civil Service, distinguishing between recommendations applicable to all officers and to officers selected for the Judicial branch?—I have already expressed my views against filling all the posts in the Judicial branch by members of the Indian Civil Service. The number that should

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be so employed and the conditions of employment have been set forth in my answer to question (11). I have no particular recommendations to make as to any steps for improving the proficiency in the knowledge of law of other members of the Indian Civil Service.

12902. (38) Do you recommend any special course of study in law in India for officers selected for the Judicial branch?—No, for I consider that any special course of study in law would not be sufficient to render them thoroughly qualified to hold high judicial appointments.

12903. (39) Do you recommend any special training in subordinate judicial posts in India for officers selected for the Judicial branch? If so, please give details?—No, for I do not consider such a training will serve any useful purpose.

12904. (45) Do you consider that the exchange compensation allowance introduced in 1893, eligibility for which depends on nationality or domicile, should be abolished, and if so, under what conditions? Should such abolition apply to officers already employed or be restricted to future entrants?—No. I think the exchange compensation allowance is necessary.

12905. (47) Turning now to the case of the Statutory Civilians and officers of the Provincial Civil Services holding listed posts, do you approve of the arrangement by which they draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various grades of the service?—I do not think there should be any difference of salary.

12906. (50) Please add such other remarks as you may desire to offer on any point relating to the conditions of service, salary, leave and pension in the Indian Civil Service?—I beg to offer the following remarks on certain points not covered by the foregoing answers:—I was a member of the Provincial Civil Service (Executive branch) for six years till I resigned my appointment in August 1912, to practise as a Vakil of the High Court. I came into close contact with most of the prominent members of the Indian Civil Service as well as the Provincial Civil Service in Bengal, particularly in the course of my provincial tours as Assistant Registrar of Co-operative Credit Societies. I am convinced that the public impression is that Government is losing confidence in Indian officers, and there is a tendency to fill almost all important posts by members of the Indian Civil Service. The subdivisional charges are instances in point. The result is that a large number of Civilians have got to be appointed, at present, to meet the demand every year. On the other hand, I am inclined to think that the Indian Civil Service is losing its attractions for English youths. There are the economic causes; there are the alarming reports about the Indian unrest and the growth of an anarchist confederacy in India, rendering European lives more insecure than before; and then, there are the changed conditions of Indian official life, consequent on the spread, throughout the educated classes, of democratic ideas. While therefore the number of men that have to be selected has increased, the number of candidates who offer themselves for examination has fallen off, or at least has not

appreciably increased. The result is that you have got to go to the very bottom of the list in order to select the full complement of Civilians required every year. I think the difference in intellectuality of the man at the top and the one at the bottom of the list of selections now made, is more marked than it was a decade ago. If I am right, it follows that men of comparatively inferior intellectual calibre must be annually getting admission into the Civil Service. This is a very regrettable situation, for on the individuality of the Indian Civilian depends to a large measure the prestige, the popularity and the stability of British rule in India. I feel also bound to say that some of the present day Civilians are wanting in that urbanity of behaviour and due regard for feelings and prejudices which appeal so strongly to the Oriental mind. Men of an older generation generally say that former Civilians were of a distinctly different type. No doubt the type of an actually rude Civilian is rare, but I must confess that the specimen does in fact exist. I have myself come across a few in the course of my experience. I am strongly of opinion that the tendency to put Civilians into every conceivable post should be checked, and a much lesser number selected for Judicial appointments. The latter point I have discussed in answer to question (11). As regards the popular complaint concerning the want of courtesy of some Civilians, it is difficult to suggest a remedy. I think there should be a selection by nomination before candidates are permitted to offer themselves for the competitive examination. This would exclude all young men who cannot satisfy the Civil Service Commissioners as to good birth and position in society.

Written answers relating to the Provincial Civil Service.

12907. (51) Please refer to Government of India Resolution No. 1046—1058, dated the 19th August 1910, defining the general conditions which should govern recruitment to the Provincial Civil Service, and reproduced as Appendix A. Are these conditions suitable, or have you any recommendations to make for their alteration?—The general conditions governing recruitment to the two branches of the Provincial Civil Service, as laid down in the Government of India Resolution, may be considered suitable enough in so far as they lay down the broad principles on which the appointments have to be made. But it seems to me that, in order to secure the very desirable objects set forth in clause 1 of paragraph 3 of the Resolution, a departure from the existing Provincial rules is called for, in the matter of direct recruitments to Provincial Service. My suggestions are set forth in detail in answer to question (52).

12908. (52) In particular, are the rules for the recruitment of the Provincial Civil Service in force in your province suitable, or have you any recommendations to make for their alteration?—The rules, though on the whole suitable, do not fully satisfy the aspirations of the highly educated youths of the various communities. The rules should be so altered as to introduce a system of open competition combined with nomination. In lieu of the present system I

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would recommend as follows:—(a) All candidates should be required to present themselves for an open competitive examination. (b) Permission to appear at such an examination should only be given on the recommendation of district officers, who should be instructed to withhold permission from candidates of undesirable antecedents, or who cannot produce certificates of good birth and good character. (c) No particular University degree should be insisted upon as a condition precedent to obtaining such permission. (d) One-third of the appointments every year should be filled up by selecting the requisite number in order of merit. (e) The rest of the appointments should be made by selecting representatives of the various communities in order to secure a due representation of divergent interests. (f) In making these latter appointments also, care should be taken to select the best representatives of each particular community, as shown by the number of marks obtained at the examination. (g) The case of candidates who fail to obtain a minimum of one-third of the aggregate marks should not be taken into consideration. (h) If the requisite number for a due representation of a particular community be wanting, a selection may be made from candidates belonging to other communities.

12909. (53) Do you consider that recruitment for a Provincial Civil Service should ordinarily be restricted to residents of the province to which it belongs?—Yes. But in the case of less advanced communities selection may be made from candidates belonging to other provinces.

12910. (54) Are all classes and communities duly represented in your Provincial Civil Service? Do you consider that this is desirable, and what arrangements do you recommend to secure this object?—Yes, fairly so. I consider that a due representation of all classes and communities in the Provincial Civil Service is not only desirable, but necessary. This object can best be

secured by a judicious exercise of the power of nomination by Government, so as to ensure a full and adequate representation of various interests. In considering what would be a due representation of a particular community, regard should be had to its numerical strength in the province, its past history and political importance generally. In Bengal, for instance, Muhammadans should be given at least half the appointments every year.

12911. (58) Are you satisfied with the present designation "the Provincial Civil Service"? If not, what would you suggest?—Yes.

12912. (59) Do you accept as suitable the principle recommended by the Public Service Commission of 1886-87, and since followed, that the conditions of the Provincial Civil Services as regards salary should be adjusted by a consideration of the terms necessary to secure locally the desired qualifications in the officers appointed? If not, what principle do you recommend?—Yes.

12913. (60) Are the existing rates of pay and grading in the Provincial Civil Service of your province adequate to secure the desired qualifications in the officers appointed? If not, what alterations do you recommend?—I believe the existing rates of pay and grading in the Provincial Civil Service are not quite satisfactory. I would suggest that a grade of Rs. 1,000 a month be added.

12914. (61) Do you approve of the arrangement by which officers of the Provincial Civil Service holding listed posts draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various appointments?—No. I do not think there should be any difference in salary if once a member of the Provincial Civil Service be considered capable enough to hold a listed appointment.

MR. A. K. FAZLUL HUQ called and examined.

12915. (Chairman.) You are a Vakil of the High Court of Calcutta?—Yes.

12916. What other positions have you occupied?—I have been a member of the Provincial Executive Service for six years, and a Pleader in the mufassal also for five or six years.

12917. You recommend open competition for the Indian Civil Service?—I do.

12918. But in reply to question (50) you appear to advocate a system of competition limited by selection?—Yes, the nomination I have recommended is generally in answer to question (50), and I have pointed out why I desire there should be a previous nomination before candidates are permitted to offer themselves for the open competition.

12919. What form of selection would you prefer?—I cannot suggest any detailed scheme for that, but I would suggest generally a selection so as to include only young men who can satisfy the Civil Service Commissioners as to their good birth and position in society. Otherwise, I would throw the course open to competition.

12920. In answer to question (6) you say you believe the opinions of the majority of the leading members of your community to be against the introduction of any system of simultaneous examination in India and England, but that you yourself favour it?—I am personally in favour of a simultaneous examination.

12921. Have you any apprehensions that the Muhammadan community will suffer from inadequate representation under such a system?—I have already said that the Muhammadans might suffer initially, but there will be an incentive for them to make rapid progress in matters of education, as they have been doing during the last few years. If there is no set-back, I believe the Muhammadans will not suffer very much, and it will be for the good of India as a whole.

12922. You mean by that in a few years' time the incentive will be such that the Muhammadans will be able to compete successfully with the members of other communities?—I think so. One of the chief drawbacks to Indians obtaining admission to the Indian Civil Service is the enormous expense involved, and

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Muhammadans are generally poor. Although a Muhammadan boy may be intellectually very brilliant, he is handicapped by poverty. That handicap will be removed if there is a simultaneous examination in India and England.

12923. Do you desire to see a European proportion retained?—I have said that a European proportion ought to be maintained.

12924. But you are not prepared to lay down any definite limit?—So far as the examination is concerned, I am not prepared to recommend that there should be any limit, because I do not think the services will be swamped by Indians. I have read some of the answers given here in the last few days, and I have been surprised to see the opinion expressed that the Indians will swamp the Civil Service. That would be a poor compliment to pay to European intellect, and I am not prepared to say that I do not see how Indians can beat the Europeans when the examination is in English, which is the mother-tongue of the English people and a foreign tongue to the Indians.

12925. If there was danger of it, would you take steps to prevent it?—No, I do not mind that. I do not think the European element will be reduced; I have no fears in that respect. I do not think the Indians will be able to swamp the service, even if the simultaneous examination is introduced.

12926. In answer to question (6) you say "The system should be introduced at first as an experimental measure, provided Government is prepared to waive other objections whatever they may be." What do you mean by experimental measure?—Very weighty opinions have been expressed on both sides, and so far as the introduction of this important measure is concerned I would recommend that it be introduced for a certain number of years to see how it works, say for ten years, and, if in any respect it becomes a very undesirable measure, Government might reconsider their decision. It is very difficult to come to a conclusion.

12927. I suppose what you mean by saying "If it is found undesirable" is that if at the end of ten years the proportion of Europeans had seriously diminished, then some steps should be taken?—Quite so, that is one, and supposing Muhammadans or the other races do not get any representation at all in the Indian Civil Service, then of course Government might reconsider whether it would be at all politically advisable to leave the Indian Civil Service exclusively to any one particular sect or class. I have no apprehensions personally as to that.

12928. You feel quite confident that if at the expiration of ten years such is the result, then the experiment could be repealed with perfect safety and without any difficulty?—Yes.

12929. Do you not think that there would be objection on the part of the large Indian community who would be entering for the examination, to having its scheme so modified as to prevent their further entry?—I do not think there will be any such contingency. In the first place I do not think the European element will be reduced, and I do not think the different races will not get fair representation in the service.

12930. You say in answer to question (11) that the emoluments of District and Sessions Judges

should be sufficient to attract really able men from the Bar?—At present no man from the Bar is taken for a District Judge, but when a Provincial Service man is appointed he gets only two-thirds of the salary. I have recommended in answer to one of the questions that when a Provincial Service man is given a listed appointment, he should get full pay. So when a man from the Bar is taken there should be no stint in the emolument given to him. He should get the full salary.

12931. You suggest his getting the full Indian Civil Service pay?—Yes.

12932. And you think that that pay would ensure getting a really competent man from the Bar?—As far as the District Judgeships are concerned, I think the pay that will be offered will be quite sufficient to attract the men from the Bar. That pay, of course, would not be quite sufficient if offered for a High Court Judgeship, but quite sufficient for the duties of the District Judge.

12933. You prefer that proposal to the one that has been made to us by several witnesses, that Civilians should have a better legal training and be put through a probationary course in the subordinate ranks as Munsifs and Sub-Judges before being made District and Sessions Judges?—I have given my opinion against that, because I do not believe that any amount of judicial training given to Civilians could really make them fit for the duties of a District and Sessions Judge. It is only men from the Bar who can deal with knotty legal problems, and not men who have had no legal training. In England, I understand, the judicial appointments are filled from the Bar, and there is no reason why there should be any difference in that respect in India.

12934. In answer to question (52), you suggest that appointment to the Provincial Civil Service should be by competition amongst selected candidates; that one-third of the appointments should be filled by candidates in the order of merit on the examination, and the remainder by selection. Does this proposal mean that the selection would be made from the remaining candidates on the examination list?—Selection from the list, but so as to secure a due representation of the various communities. If five Muhammadans have to be taken, take the very best five you have on the list.

12935. By that means you think you would get adequate representation for the different communities?—Yes, and at the same time, I should like that whenever any representative is taken from any community, the very best man should be taken.

12936. In answer to question (19), you say: "I would consider that an irreducible minimum of European officers is indispensable, but what the minimum proportion should be must vary from province to province. In Bengal, for instance, half may be adopted as this minimum." Would you have varying minima in the different provinces?—Yes; for instance in the North-West Frontier Province perhaps the European element might be higher than in a place like Madras, where less than half might be sufficient. I only use Madras as an illustration.

12937. How would you arrange that with an open system of examination?—As I have said, my opinion is that although the simultaneous

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examination might do for the present, and that a large number of Indians might appear at the examination, not a very large number will be able to get in, because the Indian graduates, under present conditions, will not be able to compete with European graduates. Unless the system is very much improved, Indian graduates will not have any chance against European graduates, although the number of Indians that appear will go up.

12938. So that you base your scheme on anticipation and chance?—I do not think it is chance.

12939. There must be an element of chance in it because you have no practical scheme for ensuring the minimum proportion?—I am convinced that the European element will be sufficiently strong after the examination is over to allow of this being done.

12940. You say in your answer to question (30) that you would give the candidate a period of probation in India?—Yes.

12941. How long would the probation in England be first?—It should not be less than one year, and preferably more than that.

12942. In answer to question (50) you say "While therefore the number of men that have been selected has increased, the number of candidates who offer themselves for examination has fallen off, or at least has not appreciably increased. The result is that you have to go to the very bottom of the list in order to select the full complement of Civilians required every year." Do you say that from any knowledge of the number of candidates who went up for the open competition last year or the year before?—I looked at the figures for two or three years.

12943. How many candidates were there for the vacancies last year?—I believe about 115 candidates offered themselves, and about 80 candidates were selected for the combined services.

12944. You have not really to go quite to the bottom of the list?—Very few are left out.

12945. I do not think you will find it was quite so few as you say. In 1911, 202 went up for 80 vacancies?—Supposing that ten years ago 150 went up and 30 were selected, the difference between the first man and the thirtieth would not be so great as the difference between the thirtieth man and the eightieth; that is the point I make out.

12946. (Lord Ronaldshay.) With regard to what you say as to the lack of urbanity and bad behaviour on the part of some recruits for the Indian Civil Service, would you say that was the result of your own personal experience?—Yes.

12947. You are of opinion that some recruits who come out to-day are not so polite and well-behaved as they ought to be?—They are not quite so polite as they ought to be.

12948. And you think you might avoid getting these men into the service if you had a system of combined nomination with examination?—Yes, nomination previous to competition.

12949. That is to say, you want a modification of the present system. You are not satisfied with pure competition; you want nomination first and examination among the nominated candidates?—Yes.

12950. If that is so, your answer to question (1) does not really express your opinion, because you say "A system of recruitment by competitive examination is undoubtedly the best in principle, and seems to be particularly suited in the case of the Indian Civil Service?"—I say in principle it is the best. There are three ways in which you can recruit: by open competition purely, by pure nomination, or by competition and nomination combined. What I suggest is that after you have made the nominations you should throw the posts open to competition.

12951. But you want nomination before the examination?—Yes. In question (2) I was asked—"In what respects, if any, do you find the present system faulty in detail, and what alterations would you suggest." My answer is: "My suggestions as to alterations in the present system will appear from the answers to subsequent questions." This is one of the alterations I suggest.

12952. Can you tell me how many Indians there are in the Civil Service cadre in Bengal at the present day?—Eleven or twelve.

12953. I thought it was twelve or thirteen?—That is about it.

12954. Do you happen to know how many of those are Muhammadans?—In Bengal there are no Muhammadans in the Indian Civil Service. There are some in the Statutory Service.

12955. I thought there was one, as a matter of fact?—There is one, a District and Sessions Judge.

12956. Then there is one Muhammadan out of thirteen?—Yes.

12957. Therefore, when you say in answer to question (6) that if simultaneous examinations are introduced Muhammadans will probably suffer initially, you base your conclusion on the actual experience of the past?—On past experience, and also on the idea I have formed of Muhammadan candidates now from the University education that they get. It will depend on what sort of education you get at the Universities, and the Muhammadan graduates turned out by the Universities now I do not think will be able to compete with European graduates.

12958. But for other reasons you are prepared to risk the chance of very few Muhammadans getting into the service at first, and to have a system of simultaneous examination tentatively?—Yes. I consider that the Muhammadans will suffer for some years.

12959. If in the case of the Indian Civil Service you are prepared to stake the chances of Muhammadans getting in on the result of a competitive examination, why is it you are not equally prepared to stake the chances of Muhammadans getting into the Provincial Civil Service by a competitive examination?—In the Provincial Service I have not many apprehensions; in the Provincial Service it is far more necessary than in the Indian Civil Service that there should be a due representation of all classes and communities. It is almost indispensable, because on these officers fall the details of the work of administration. But as regards the Indian Civil Service, it is not indispensable that there should be a representation of all classes; some representation is necessary, and that I

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think will be obtained by the results of the examination. Things will adjust themselves to circumstances.

12960. In Bengal you think half the number of vacancies for the Provincial Service ought to be filled by Muhammadans?—That is my personal opinion based on the condition of the Muhammadans in this province, their population, their varied interests and their importance. That is practically the number of appointments that have been given to the Muhammadan community for some years.

12961. But apart from the desire of the Muhammadans to be represented in the service of the country, are there no other reasons which in your opinion are important reasons why half the Provincial Service should be filled by Muhammadans?—It is natural that the Muhammadans should desire to have some share in the administration of this country.

12962. But I said apart from that?—There may be a public impression that Muhammadan interests sometimes might suffer if not in Muhammadan hands, but I do not share that opinion.

12963. Generally speaking, does that impression exist among the Muhammadans of Bengal?—Amongst educated Muhammadans it does not, but of course the illiterate men are very numerous in Bengal, and the Muhammadan public generally are of that opinion.

12964. It is only among the uneducated Muhammadans?—Yes.

12965. (*Sir Theodore Morison.*) In your answer to question (16) you recommend that Persian may be added to the list of Oriental languages and included in the syllabus, and also that the marks allotted to the Oriental languages should be equal to those assigned to European classics. Do you mean to say that the marks assigned to Persian should be equal to the marks assigned to Sanskrit or Arabic?—I think the Persian language and literature have reached such a state of development that you can class Persian with the other languages.

12966. You rank it as a classical language and not as the great French, German, or Italian languages?—I do, unquestionably.

12967. It has been urged that Persian ought to be marked similarly to French or German, which is 600, and a proposal has also been made that the Oriental classics, Arabic and Sanskrit, should be marked the same as the Western classics, Greek and Latin. Do I understand that yours is a third proposal, that Persian should be marked the same as Latin and Greek as a classic.—It might be classed with French or German; it should be included in the curriculum and classed with those two things.

12968. (*Mr. Chaudhary.*) You do not approve of appointment to a post by nomination?—Not pure and simple nomination.

12969. You are in favour of combined nomination and examination?—Yes.

12970. Are not there the same objections to nomination for examination as for nomination for appointment to the service?—I do not know how to answer that question, but I would not have recommended any previous nomination had it not been for the facts brought out in my

answer to question (53). I think if there is nomination it will include some candidates previous who would not make good types of Civilians afterwards, so far as their behaviour to the people is concerned. They are men who do not belong to good society.

12971. I understand you are against any recruitment for service by pure nomination?—Yes.

12972. Because it is likely to degenerate into favouritism?—Yes.

12973. But you want nomination for getting through the door?—I do not want the nomination to be very strict, so as to exclude almost all possible candidates. I do not say that unless a candidate can satisfactorily show that he belongs to a very good position in society the nomination should not be given. What I say is that unless there is anything very much against him, nomination should be given.

12974. You mean that the nomination should be roughly to see that the social position of the candidate, whatever community he might belong to, is good?—Quite so. Otherwise, the nomination might be used as a means of excluding almost anyone.

12975. (*Mr. Gokhale.*) With reference to this question, I should like you to explain your meaning a little more fully to me. You want the Civil Service Commissioners to be satisfied as to the good birth and position in society of the candidate?—Yes.

12976. Will you explain a little more fully what you mean by birth and position in society?—My belief is that a man who comes from the best ranks of English society cannot be expected to turn out uncivil in his career as an official in India.

12977. Do not you think that a man with those aristocratic traditions might be wanting in democratic sympathies, which are so valuable here at the present day?—That might be, but I do not think men of aristocratic tendencies would care to enter the Civil Service at all.

12978. Good birth and position in society are expressions which I do not think you can push very far?—In the previous answer I have said that unless you find a man belongs to such a class of society that he ought to be excluded; he should not be excluded.

12979. That also is fairly vague, is it not? However, I will not press the point. You do not think that Mussalman intellect is in any way inferior to the Hindu intellect, do you?—I do not think so.

12980. You would resent it if anybody said so?—Yes, I would resent it.

12981. Is it your experience that Aligarh young men may challenge comparison in point of intellect with those of any other college in the country?—I would not confine it to Aligarh only.

12982. I will take Aligarh first of all because it is the best known institution?—The types of Aligarh graduates are very good.

12983. Some of the best men in the country have come from Aligarh?—Yes.

12984. You would say that, with proper educational facilities, there is nothing to prevent the Muhammadans getting their full share in any competition?—That is my view.

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12985. The best course, therefore, for all Muhammadans, as also for all others interested in their welfare, is to concentrate on educational facilities, rather than to encourage inferior standards by asking for special favour being shown to men who have inferior qualifications?—Yes, that is my view.

12986. Do you know that in the Civil Service Examination in England Muhammadans have done very well, considering the numbers that have gone up there? Do you know the number who have entered?—I do not know about Hindus, but a Muhammadan seldom goes unless he is practically sure of getting into the service, so that I cannot generalise on that.

12987. The pick of the men from both sides go?—Yes.

12988. I find from the statistics that out of 59 Indians who are in the service to-day, nine are Muhammadans, which means, roughly, slightly less than one-sixth. This is less than the proportion of Muhammadan population, but only very slightly less. Considering that the Muhammadans began to go later than the Hindus for the Civil Service, would you consider this was very unsatisfactory?—No, I would not.

12989. Do you think it establishes your contention that, equal facilities being given, Muhammadans would be able to hold their own in open competition against any section of the country?—I think so.

12990. (*Mr. Sly.*) In your answer to question (8) you suggest that a certain amount of class representation might be secured in the Indian Civil Service by means of selection from members of the Provincial Civil Service. Do you not think it would cause very great harm to the Provincial Civil Service if selection from that service for listed posts was not to be made on account of the merit and ability of the man, but on the ground of his class?—I do not think I have explained myself in that answer. In making appointments to these listed posts, care should be taken to provide for the representation of different communities also. It should always be possible so to regulate appointments as to secure properly qualified officers on the one hand, and an adequate representation of divergent interests on the other. If four appointments have to be made in the course of six years, two might be given to Hindus, one to Muhammadans, and one to the Anglo-Indian community. The average Muhammadan officer in the Provincial Civil Service is quite as good as the Indian officer or the Anglo-Indian officer. I do not think the efficiency would be impaired at all if occasionally a Muhammadan was selected for a listed post.

12991. But it would be very hard on the Provincial Civil Service officer, whether Muhammadan or Hindu, if he is to be passed over for selection for a listed post, not because the other man is better, but because the other man happens to be of a different class?—My impression is that in making appointments to the listed posts you do not take actually the best Provincial Civil Service officer; sometimes the officer selected for the listed post happens to be inferior to a good many men in the service. If that can happen there is no harm in taking a Muhammadan, because he is a Muhammadan,

in order to secure a representation of Muhammadan interests.

12992. For the Provincial Service itself you have suggested that half the appointments ought to be filled by Muhammadans?—Yes; so far as Bengal is concerned.

12993. If you have that system of competition which you suggest, past experience of the open competition in Bengal shows that practically no Muhammadan would get in by the open competition, and that the whole half would have to be selected by Government more or less. Do you think that would be a good system?—I do not see any harm in that. If you have to make twelve appointments you throw three open to competition, and then as regards the nine you take the very best six you can find by nomination, not in a haphazard way. In a system of pure nomination you are almost groping in the dark, if I may so say: you do not know whom to pick out.

12994. Six you say would probably have to be selected as Muhammadans?—Yes, but I put in one reservation. The candidates whom you nominate should have secured at least one-third of the aggregate marks. The candidate who does not secure that is not taken into consideration at all.

12995. As long as he has secured the aggregate marks it does not matter?—It does not matter, and from the list you pick out the half that is necessary.

12996. Do you not think the Hindu community would resent the fact that all the selections made by the Government would be Muhammadans?—I do not think the Hindu community will be ungenerous to that extent, to grudge half the appointments in a place like Bengal.

12997. With regard to your scheme for the Judicial service, when you talk about not less than two-thirds of the Judicial appointments being made from the Bar, do you mean two-thirds of the District Judgeships, or do you wish to start your service lower?—District and Sessions Judges.

12998. You want direct recruitment to District and Sessions Judges?—Yes.

12999. How would you satisfy the claims of the Provincial Service in that matter?—The one-third that I leave out I would give to members of the Indian Civil Service and members of the Provincial Civil Service. I would include in the one-third a man from the Provincial Civil Service also.

13000. You would have two-thirds District and Sessions Judges direct from the Bar, and one-third partly from the Indian Civil Service and partly from the Provincial Civil Service?—Yes.

13001. In reply to question (50) you have said: "The subdivisional charges are instances in point. The result is that a large number of Civilians have got to be appointed at present to meet the demand every year." So far as statistics go, they show there has been no increase in the number of English Civilians appointed in recent years?—There has been an increase in the cadre. Some appointments like additional District Magistrates have been made, and those appointments were not made previous to the

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Partition in 1905, and my opinion is that those appointments ought to have gone to men from the Provincial Civil Service. There is no necessity for appointing English Civilians to these posts. I was in the Provincial Executive service from 1906—12, and in my time I found that for two or three years most of the subdivisions were being filled by members of the Indian Civil Service, men with not more than one year's service in the country, exercising second-class powers and put in charge of subdivisions. It caused great heartburn in my service, and we all resented that, simply because we were Indians, we were not put in charge.

13002. But the number of Indian Civil Servants in this country recorded every year is not increasing in the mufassal?—Taking the last ten years, has not the number of Civilians increased?

13003. No?—My impression was that it had increased.

13004. It has not increased for the past 15 years. Since Burma was included in the cadre the proportion has been practically constant?—My impression is that, before the new regulations came into force in 1902, the number had increased.

13005. That increase was on account of the Burma cadre, not because more Civil Service men were employed in other parts of India?—I remarked that there is a tendency to put Civilians into every conceivable post, and that remark I adhere to. I think the public impression is that there is a tendency on the part of the Government to put Civilians into every conceivable post.

13006. In the country?—I am speaking for Bengal.

13007. (Mr. Macdonall.) You were a member of the Provincial Civil Service?—Yes.

13008. How did you get in?—By nomination.

13009. Did you come in at the bottom or were you nominated to a post pretty well up?—I was given a special appointment by the Lieutenant-Governor; I was taken from the Bar and appointed direct.

13010. By Sir Bampfylde Fuller?—Yes.

13011. And you only stayed a few years?—Six years, and I held very important posts.

13012. Why did you leave?—I left for personal reasons.

13013. Did you leave because you were dissatisfied with the prospects of the Provincial Civil Service?—That was one reason. I thought I could improve my prospects by reverting to the Bar.

13014. If the Provincial Civil Service had been better, would you have stayed in?—I think so.

13015. In answer to question (50) you say you are convinced that the public impression is that Government is losing confidence in the Indian officers?—Yes.

13016. Have you anything further to say on that subject than you have said in reply to Mr. Sly's questions?—No, not very much. My remark on that point is based on experience and talk with brother officers and leading non-official Natives.

13017. You are voicing a general feeling?—Yes.

13018. Is this a kind of feeling which is not so much owing to detailed examination of cases as it is to something that has got into the minds of a mass of men?—It has got into the minds of the members of the Provincial Civil Service, and I imbibed that idea at that time. I was very much impressed with the idea that the Government was losing confidence in Indian officers. Latterly, I have not gone out so much into the mufassal, but when I did, that was the impression amongst the members of the Provincial Civil Service and amongst the Natives.

13019. You do not know whether that feeling has improved now?—I do not think the feeling has improved; I think it still remains.

13020. In answer to question (36) you say that certain deficiencies on the part of European officers could to a great extent be remedied by officers mixing more freely with educated and cultured Indians. Why do you not refer to their mixing with the raiyats?—They do not do so generally, but if they did so it would be a very good thing.

13021. Is it not the usual reply made that to mix freely with educated and cultured Indians does not bring European officers into touch with India?—I would insist on their speaking with the cultured Indians in the vernacular; otherwise it is no good mixing with them.

13022. When they have been told that they did not mix with educated and cultured Indians, have you heard the reply "No, but we mix with the raiyats and we know what they feel,"?—My impression is that the Civilians do not generally come in contact with the raiyats. In the first place, the District Magistrate does not very often go out on tour, but when he does go out the raiyat has no access to him; he is not mixing with the raiyats at all.

13023. You were connected with a Co-operative Credit Society?—Yes.

13024. And in that connection you had to mix with the raiyats very considerably?—Yes.

13025. You know the opinion of the raiyat, an opinion you gathered in mixing with him as an officer, and I suppose you discussed agricultural affairs with him?—Yes.

13026. And his worldly prospects, seeing that they are mixed up with the co-operative movement?—Yes.

13027. Did you come across very much evidence of the superior European officer's influence amongst them?—Influence in what way.

13028. Did you find that they looked up to him and regarded his opinion, that they held him in very high esteem?—The raiyats hold any Government official in high esteem, whether European or Indian.

13029. When an Indian officer goes to them, would they say they appreciated him; and when a European officer went to them, would they say they appreciated him also?—If the European officer is approachable, of course. The Indian officer always is.

13030. If a raiyat says to an officer, whether European or Indian, that he appreciates him more than anybody else, does that mean very much? Do they always say that to whatever Government officer comes?—I do not think the European officer would be more appreciated by the Indian raiyat than the Indian officer. I do

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not think that inquiry was ever made or that sort of question put.

13031. You have not come across that sort of statement?—I have not come across any cases in which the raiyats have said they had no confidence in Indian officers. That is all I can say.

13032. (Mr. Abdur Rahim.) Is it not a fact that so far as the raiyats are concerned, they come more into contact with the officers of the lower ranks than with the officers of the higher ranks?—That is so.

13033. As a matter of fact the influence of the officers of the lower ranks is much greater with the raiyats than the influence of the European members of the Civil Service?—That is so.

13034. I should like to understand more clearly the distinction you seek to make between the Indian Civil Service and the Provincial Civil Service in respect to the necessity for competitive examination?—The men in the Provincial Civil Service bear the whole brunt of the administration, and class representation is necessary there if anywhere.

13035. Why?—Because in a particular area, supposing there is a large majority of Muhammadans, the interests are mostly those which affect the Muhammadans, and the Muhammadan officer would be more sympathetic and able to appreciate them than any other officer.

13036. Do you not require as much sympathy in the higher officers?—The higher officers are so far removed from the general body of the public.

13037. It is they who really control the administration of a district?—Yes, they control generally.

13038. And the subordinate officer generally carries out orders?—There are many matters which subordinate officers dispose of then and there, which never go up to the Indian Civil Service officer at all.

13039. Unless the District officer is in touch with the people, the administration is bound to suffer?—Of course, the administration will suffer.

13040. So that your reason would apply to a great extent to the District officer himself?—So far as the Indian Civil Service is concerned, I think there should be some sort of representation, although it is not indispensable, and I provide for that in making the listed appointments.

13041. What I am suggesting to you is that the administration would be the gainer by having different communities represented in the higher service, if you could secure such representation consistently with efficient service?—I think a higher standard would be required for the recruitment of an officer for District Magistrates than for the post of a Deputy Magistrate.

13042. So that in the case of appointments of Deputy Magistrates you might make provision for class representation as well as to secure considerations of efficiency. What you mean is, if you want too much of class representation you might impair efficiency of the service?—Supposing it is possible to secure a very high qualification, I would not object to classification.

13043. I understand your position to be that it is only by open competition that it is possible to secure high qualifications?—Yes.

13044. Do you know that open competitive examination from year to year must necessarily vary in its standard?—Yes.

13045. There is no minimum standard?—Not at all.

13046. In some years it may be that 2,000 marks are sufficient, and in another year 1,500, while in another year perhaps 3,000 are not enough?—Yes, I have seen the marks obtained by examination.

13047. So that there is no standard for open competition?—No.

13048. Therefore, from that point of view it does not compare favourably with a qualifying examination?—I recommend the open competition because I consider that it is as a system of recruitment better than a system of pure nomination.

13049. So far as educational qualification goes I put it to you that a purely qualifying examination is better?—If the nominations could be made quite clearly without any possibility of mistakes as to the intellectual fitness of the candidates I might have no objection.

13050. You know that in the Educational Service there are men of very high educational qualifications. Do you think that their qualifications are inferior to the qualifications of the members of the Indian Civil Service?—I do not think they are inferior.

13051. As a matter of fact, perhaps they count in their ranks more distinguished graduates of English universities than the Indian Civil Service?—Very likely.

13052. Proposals have been made to us that the ideal state of things would be to introduce open competition for the Provincial Civil Service also. You apparently do not agree with such a proposal?—No.

13053. You know that the results of the open competition here were that not a single Muhammadan has got in during the whole time?—Yes.

13054. I doubt if any got in in any open competition throughout India. Supposing that is so, if open competition is now introduced the result would be total exclusion of the Muhammadans from the Provincial Service?—The Muhammadans have greatly improved in education.

13055. Do you think they will be able to get in by open competition now?—A larger number will get in now than got in before.

13056. Can you tell me how many Muhammadan graduates have come out at the top of the University list?—I could not generalize; some Muhammadans will get in, though a very small number.

13057. In the last five years have any Muhammadans come out at the top of the University list?—Yes. The year before last a Muhammadan headed the list of Honours in mathematics in the University, and had a first-class pass. Another gentleman got high up in the Honours list in philosophy.

13058. Apparently, therefore, there is one. I suppose since the University has been instituted there would not be more than half a dozen who obtained such high places?—I admit that

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very few Muhammadans will be able to get in, but some will be able to get in.

13059. Have you considered what the effect will be on the development of the Muhammadans in Bengal? Do you not think it will considerably retard their development if we exclude them from public service by instituting a system of marks?—That is why I do not advocate a wholesale system of open competition; I make a reservation for nomination.

13060. As a matter of fact, within the last few years there has been an improvement in the position of Muhammadans in the public service, though not enough improvement to satisfy the community. Do you know that that improvement has led to the improvement in the education of Muhammadans?—Yes.

13061. Would you advocate any system by which that improvement would receive an absolute check?—No. That improvement in education among the Muhammadans is not due solely to the fact that some Muhammadans have got into the service. It is a sign of the times. All communities are improving.

13062. Do you know that want of means stands in the way of Muhammadans receiving the benefit of English education?—Yes.

13063. And that English education is becoming more and more expensive in this province?—Yes.

13064. You also know that it is mostly men in Government service who largely educate their children. If the result of any system of open competition be to stop Muhammadans getting into Government service you will have practically one generation which will be very much the loser in point of education?—I concede that.

13065. And that will have a considerable effect in retarding education amongst Muhammadans?—I admit that also.

13066. There have been many Muhammadans who have distinguished themselves in the Provincial Civil Service?—Yes.

13067. In spite of the fact that they did not get in by the door of open competition?—That is so.

13068. Can you tell me that men that got into the Provincial Civil Service by open competition have distinguished themselves more than men who did not get in by open competition?—I do not quite follow that question.

13069. Among men who have distinguished themselves in the public service are there more men who have entered by open competition than men who were nominated?—The open competition system was in force before, and nomination only came in for five or six years. More men entered by competition.

13070. Have the men who were nominated distinguished themselves more than the others?—I would rather put it in this way. The men who have distinguished themselves in the service belong indiscriminately to both. The average man who has come in by nomination does not make a worse officer than the average man who comes in by open competition.

13071. You know there have been men in the Provincial Civil Service who have been selected to fill responsible offices in Native States and have done well there?—Yes.

13072. Some of them have been Muhammadans?—Yes.

13073. Perhaps more Muhammadans than that of any other community so far as Bengal is concerned?—Yes.

13074. Would it not be a loss to the administration of the country if any system was adopted which excluded such men?—Amongst men who have distinguished themselves in the service are men who have come in by pure nomination.

13075. (*Sir Valentine Chirol.*) You say there is an impression that Government is losing confidence in the Indian officers, and in reply to a question, you said you thought that impression still existed. Can you tell us what is the general impression as to the reason for which Government is losing confidence in Indian officers?—I could not say. It might be on account of the changed conditions of the country; it might be political reasons.

13076. You can only say that the impression exists, but you cannot tell us what that impression can be ascribed to?—No.

13077. Does your experience enable you to say that the amount of sympathy shown by European officers towards Indians depends in any way upon the political leanings of the British officer, whether democratic or otherwise?—I could not say that, because so far as European officers are concerned, it is very rarely that we know their political views. We come to know them as Europeans simply.

13078. (*Mr. Bompas.*) What district do you come from?—Bakarganj in Eastern Bengal.

13079. Are you aware that it has been always a practice for young Civilians in their second year of service to be sent to take charge of a subdivision?—My impression is that formerly they were not sent out quite so early.

13080. Will you take it from me if I say it was so?—In those years I mentioned, 1906-08, Europeans were sent out to subdivisions much earlier, after a year's service, exercising second-class powers.

13081. Is it not a fact that before the partition these young Civilians were sent to subdivisions in Western Bengal and that therefore you never saw a Civilian subdivisional officer in Eastern Bengal?—I never saw him.

13082. But they really existed in other parts of the province?—I have no experience.

13083. After the Partition the Civilian in Eastern Bengal had to go to his subdivision, and therefore had to be sent to subdivisions to which Civilians had never been previously posted. May not that account for the impression that there was a sudden increase in the number of subdivisional officers?—To a certain extent it might. On one occasion a Civilian was sent out to take charge of a subdivision where there was an Indian officer, a Deputy Magistrate, exercising first-class powers, and it seemed to me an anomaly that a Civilian with second-class powers should be in charge of a division, while a Magistrate was exercising first-class powers. I consider that is not quite desirable, because a Deputy Magistrate having first-class powers with 8 or 10 years' service behind him would be far more competent to take charge of a subdivision

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than a young Civilian exercising only second-class powers and quite new to the country.

13084. (*Mr. Mukherji.*) In your scheme for combining open competition with nomination for the Provincial Civil Service you say that no particular University degree should be insisted upon as a condition precedent to obtaining such nomination. Do not you think that some University degree should be asked for?—No, I should like to make the field of selection much wider, because there will be the competitive examination afterwards. In the Civil Service you do not insist on any particular University degree.

13085. (*Mr. Sen.*) In answer to question (11), you say that two-thirds of the judicial appointments should be given to members of the Bar, and one-third to members of the Civil Service who have aptitude for judicial work. In reply to Mr. Chaubal, you said that within this one-third should be included listed posts. Do you mean to say that in that case Provincial Service members would have the same chance of becoming District Judges as they have now?—I should like them to have an equal chance with the Indian Civil Service.

13086. Do you advocate that some appointments should be reserved for members of the Provincial Civil Service?—Out of the one-third half might be given to Provincial Service men. I do not wish to see District and Sessions Judges in the hands of Civilians at all. It is only out of deference to the Civil Service that I

have recommended that some posts should be given to them. In England, judicial appointments are made direct from the Bar, and not given to the Civil Service at all.

13087. I am confining myself only to the Provincial Service. You wish that they may be promoted, and that some posts should be reserved exclusively for them?—Yes. One-sixth should be given to them at any rate.

13088. Some of our countrymen who have given evidence before this Commission seem to be of opinion that District Judges and Magistrates appointed from the Provincial Service do not command as much influence and are not earning as much respect as members of the Indian Civil Service. Are you also of that opinion?—No. I think when they are appointed to the listed posts, they command as much respect as members of the Indian Civil Service.

13089. You are of opinion that they are held in very high esteem?—Yes, as much esteem as Indian Civilians are.

13090. And they are never inferior?—No. Once they are given a listed appointment, they command as much respect as an Indian Civilian.

13091. The very fact that they are District Judges and District Magistrates is sufficient for them to command the same respect as an Indian Civilian?—Certainly.

(The witness withdrew.)

(Adjourned to Monday next at 10-30 A.M.)

At Calcutta.

Monday, 27th January 1913.

THIRTEENTH DAY.

PRESENT :

THE RIGHT HON. THE LORD ISLINGTON, K.C.M.G., D.S.O. (*Chairman*).

THE EARL OF RONALDSHAY, M.P.

SIR MURRAY HAMMICK, K.C.S.I., C.I.E.

SIR THEODORE MORISON, K.C.I.E.

SIR VALENTINE CHIROL.

MAHADEV BHASKAR CHAUBAL, Esq., C.S.I.

ABDUR RAHIM, Esq.

GOPAL KRISHNA GOKHALE, Esq., C.I.E.

WALTER CULLEY MADGE, Esq., C.I.E.

FRANK GEORGE SLY, Esq., C.S.I.

JAMES RAMSAY MACDONALD, Esq., M.P.

And the following Assistant Commissioners :—

CECIL HENRY BOMPAS, Esq., I.C.S., Chairman
of the Calcutta Improvement Trust.SARODA PRASAD SEN, Esq., Additional
Sessions Judge, Sylhet.RAI BAHADUR PRIYA NATH MUKHERJI,
Inspector-General of Registration, Bengal.M. S. D. BUTLER, Esq., C.V.O., C.I.E. } *Joint Secretaries.*
R. R. SCOTT, Esq.

SIR BIJAY CHAND MAHTAB, K.C.S.I., K.C.I.E., I.O.M., Maharajadhiraja Bahadur of Burdwan.

Written answers relating to the Indian Civil Service.

13092. (1) What is your experience of the working of the present system of recruitment by open competitive examination in England for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—I have no personal experience. I would suggest the matter being enquired into in England as well as in India. All one can say is that at times a complaint is made that the present system does not always allow the best class of Englishmen competing for it. Europeans of the Indian Civil Service should undergo at least a year's training out in India and pass another examination here in Indian language and laws before being finally appointed.

13093. (2) In what respects, if any, do you find the present system faulty in detail, and what alterations would you suggest?—The answer to this question is covered by my answer to question (1).

13094. (3) Is the system equally suitable for the admission of "Natives of India" and of other natural-born subjects of His Majesty? If not, what alteration do you recommend?—So far the Indians that have passed into the Indian Civil Service seem to have been not so successful in district or mufassal work as they have been in their examinations. Some supplementary examination out in India seems therefore necessary to complete their training.

13095. (5) If you do not consider the present system of recruitment by an open competitive examination to be satisfactory in principle, please state what alternative you would propose?

—The open competitive examination has its drawbacks, but it should be continued.

13096. (6) In particular, what would be your opinion regarding a system of simultaneous examinations in India and in England, open in both cases to all natural-born subjects of His Majesty?—*Vide* my answers to questions (1) and (3).

13097. (7) What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service cadre by Natives of India, recruited by means of a separate examination in India, or by means of separate examinations in each province or group of provinces in India? If you favour such a scheme, what proportion do you recommend?—I think this change may be desirable. A separate examination in India for Indians alone may be held, but this should not debar the Indians from the eligibility of competing at the Indian Civil Service examination in England. A proportion of Indians as Assistant Magistrates, Joint Magistrates and District Magistrates should be decided upon. I would suggest 25 per cent of the appointments in a province being kept as the maximum for Indians; and in the case of District Judges I would propose the proportion to be 35 to 45 per cent.

13098. (8) If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which Natives of India would be selected in India for admission to the Indian Civil Service by means of (a) nomination, (b) combined nomination and examination, or (c) any other method? If so, describe fully what system you would

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recommmend. In particular do you consider it desirable that all classes and communities should be represented in the appointments so made? If so, how would you give effect to this principle?—I would introduce the appointment of Indians of rank and ability to the posts of Additional Commissioners, Commissioners, or even members of the Board of Revenue, by nomination, the proportion being one such Commissioner for every five years in a province. The Government ought to have an eye on the representation of all the communities, but the method now in vogue has made the Hindu-Moslem question in India acute. This should, in future, be avoided.

13099. (10) Would you regard any system of selection in India which you may recommend for young men who are "Natives of India" as being in lieu of, or as supplementary to, the present system of promoting to listed posts officers of the Provincial Civil Service? If the former, what alteration, if any, would you recommend in the conditions governing the Provincial Civil Service?—A new service may be created for Indians superior to the Provincial Civil Service as at present existing. In that case, I would reduce the number of Deputy Magistrates by 15 to 20 per cent. and create the posts of Assistant and Joint Magistrates in lieu thereof.

13100. (11) Do you recommend any separate method of recruitment for the Judicial branch of the Indian Civil Service? If so, please describe the system which you would propose?—Yes; time has come to fix a proportion of recruitment from the Bar, as a good deal of unrest in India is due to the problem of the educated unemployed in the country and at mufassal Bars: an unemployed lawyer is not a *rara aris*. I would make the recruitment from the Bar at least 20 per cent., if not 25 per cent., and then gradually raise it up to 50 per cent. in case the system works out satisfactorily.

13101. (12) Are you satisfied with the present statutory definition of the term "Natives of India" in section 6 of the Government of India Acts, 1870 (33 Vict., c. 3), as including "any person born and domiciled within the dominions of His Majesty in India, of parents habitually resident in India, and not established there for temporary purposes only," irrespective of whether such persons are of unmixed Indian descent, or of mixed European and Indian descent, or of unmixed European descent? If not, state fully any proposals that you wish to make in regard to this matter?—In my opinion, the term "Natives of India" should be so defined as to signify persons of pure Indian descent only. Those of mixed European and Indian descent and the Anglo-Indians domiciled in India should be excluded from its scope for the purposes of section 6.

13102. (13) If the system of recruitment by open competitive examination in England is retained, state the age-limits that you recommend for candidates at such examination, giving your reasons?—The present age-limit does not seem to require any modification except as suggested in my answer to question (15).

13103. (14) What in your opinion is the most suitable age at which junior Civilians recruited in England should commence their official duties in India?—Whatever be the age of one at the

time of his passing the Indian Civil Service examination or joining the service in India, no Civilian below the age of 28 should be permitted to act as a District Magistrate or Collector even temporarily, and none below 30 should be made permanent in such a post.

13104. (15) What age-limits for the open competitive examination in England would best suit candidates who are Natives of India, and for what reasons? Do you recommend any differentiation between the age-limits for Natives of India, and for other natural-born subjects of His Majesty?—It now being ruled by the Calcutta University that no student below the age of 16 should be allowed to appear at the Matriculation examination, the Civil Service age-limit goes rather hard for Indian students. If perchance they lose two years in the college before they graduate, they are already out of years for the Civil Service; as the Englishman enjoys the advantage of learning the courses in their mother tongue and as Indians have to acquire a foreign language quite thoroughly, it should be enquired into as to whether the age-limit in the case of the latter should not be higher.

13105. (17) Is any differentiation in the subjects for the open competitive examination in England desirable between candidates who are Natives of India and other candidates? If so, state them and give reasons?—*Primâ facie* some differentiation seems necessary, but I cannot make any definite suggestion, not knowing the subject.

13106. (18) Do you consider it necessary that certain posts should be reserved by Statute for officers recruited to the Indian Civil Service, and if so, what posts and for what reasons?—Yes; high administrative and judicial posts. But the Civilians should be very sparsely put into political appointments, as Military officers or non-Civilians are more suitable for such posts and are less interfering with the Native States.

13107. (20) Do you accept as generally satisfactory in principle the present system under which Natives of India are recruited for posts in the Indian Civil Service cadre, partly through the medium of an open competitive examination in England, and, partly by special arrangement in India?—Yes, on the whole I consider it satisfactory.

13108. (22) If the system of recruiting Military officers in India for posts in the Indian Civil Service cadre has been stopped or has never existed in your province, would you advise its re-introduction or introduction, as the case may be, and if the system should be introduced or re-introduced, to what extent, in your opinion, should it be adopted?—Yes; they should get at least 90 per cent. of the posts in the Political Department.

13109. (23) Do you consider that such a system should be restricted to the recruitment of Military officers, or extended to the recruitment of selected officers from other Indian services?—I am not sure whether the recruitment should be restricted to Military officers only; selected officers from other Indian services may also prove useful.

13110. (24) What is your opinion of the system by which certain posts, ordinarily held by members of the Indian Civil Service, are declared to be posts (ordinarily termed listed posts) to

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which members of the Provincial Civil Service can properly be appointed?—The apportionment of such appointments may need re-adjusting—enlarging if no new intermediary service for Indians be created, or reducing if a new service be created.

13111. (25) Are you satisfied with the present rule which prescribes that Natives of India, other than members of the Provincial Civil Service or statutory Civilians may be appointed to one-quarter of the listed posts?—Yes, the rule is all right; but the full proportion must always be given away to the Natives of India when there are candidates.

13112. (27) Is the class of posts listed suitable? If not, in what directions would you suggest any changes, and why?—A general enquiry should be made. I have nothing particularly to say.

13113. (31) Do you consider that any differentiation is necessary between the course of study for probationers who are Natives of India and the course prescribed for other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend?—The course of study must necessarily be somewhat different, but language study out in India for Europeans before joining active service seems to me to be badly needed.

13114. (33) Do you think it desirable to start, at some suitable place in India, a college for the training of probationers of the Indian Civil Service, and possibly of other Indian services recruited in England?—I think a college will suit well for the training of probationers, regarding whom please also see my replies to questions (1) and (3).

13115. (34) Do you think it desirable that each Provincial Government should arrange for the training of probationers by suitable courses of instruction for the whole or portions of the first two years of service at some suitable centre?—*Vide* my replies to questions (1) and (3). Yes if such training be introduced in India, it seem to me to be necessary that each Provincial Government should arrange for it.

13116. (35) Are you satisfied with the present arrangements for the training of junior officers of the Indian Civil Service after they have taken up their appointments in India? If not, what change should, in your opinion, be introduced?—No; they are allowed too much to be in the Presidency towns as Under-Secretaries soon after they join service. They should first of all undergo some general training, then learn work at the head-quarters of districts for at least a year, then spend at least three years in the mufassal, then get a two years' training as Under-Secretary, and then revert to the district and rise according to ability and seniority.

13117. (36) Do you consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service? If so, what are the causes? Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages, and, if not, how could this best be remedied?—Yes, too much red-tapism, office work, desire for club life and so forth, seem to be the chief causes of their indifference or deficiency.

This may also be due to want of time and absence of strict rules regarding the compulsion of learning Indian languages.

13118. (37) Please give your views as to what steps (if any) are necessary to improve the proficiency in the knowledge of law of members of the Indian Civil Service, distinguishing between recommendations applicable to all officers and to officers selected for the Judicial branch.—For district and other officers, a special training in the Court of a Presidency Magistrate or a District Magistrate for a year might be worked out and for the judicial branch a two years' course in the Court of a Judicial Commissioner or District Judge might be of great use.

13119. (38) Do you recommend any special course of study in law in India for officers selected for the Judicial branch?—Yes; I have no suggestions to make about the study of the English laws, but the study of the Indian laws, specially those of inheritance, adoption, marriage and transfer of property, seem absolutely necessary.

13120. (39) Do you recommend any special training in subordinate judicial posts in India for officers selected for the Judicial branch? If so, please give details?—I think some special training in law is necessary; but as I have no experience of the matter, I cannot give the details.

13121. (41) If you had recommended the introduction of any scheme of direct recruitment in India for Natives of India, whether in lieu of, or supplementary to, the system of recruitment in England, please state what system of probation and training you recommend for officers so recruited?—One or two years' probation before confirmation in the appointment.

13122. (44) Do you consider that the numbers of officers authorized for the various grades of the Indian Civil Service are satisfactory? If not, please state your views?—More Assistant or Joint Magistrates seem necessary. At the head-quarters of each district there should always be a Joint Magistrate and at least one Assistant Magistrate, and the new scheme of the Sadar Subdivisional Officer should be abandoned and the Joint Magistrate should do this work.

13123. (47) Turning now to the case of the Statutory Civilians and officers of the Provincial Civil Services holding listed posts, do you approve of the arrangement by which they draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various grades of the service?—The pay seems to be all right, but the promotion from Subordinate Judges to District Judges, or from Deputy Magistrates to District Magistrates, is of rare occurrence, and the percentage should, in my opinion, be raised a little higher, for it is very disheartening to many deserving officers.

13124. (48) Have you any proposals to make in regard to the leave rules applicable to members of the Indian Civil Service?—None except that for the first 15 years of service, no Civilian should be allowed ordinarily to get leave long enough to leave the country at less than three years' interval.

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[continued.]

Written answers relating to the Provincial Civil Service.

13125. (52) Are the rules for the recruitment of the Provincial Civil Service in force in your province suitable, or have you any recommendations to make for their alteration?—I am not sure whether the old competitive system would not do better. Even if the present system be continued the University should be given power to nominate a larger number of candidates, and His Excellency the Governor should have more appointments at his disposal.

13126. (53) Do you consider that recruitment for a Provincial Civil Service should ordinarily be restricted to residents of the province to which it belongs?—Yes.

13127. (56) Do you consider that the numbers of officers authorized for the various grades of your Provincial Civil Service are satisfactory? If not, please state your views?—As far as the Executive branch is concerned, hardly any complaint is heard of. The number of Judicial officers, specially the Munsifs, may require increasing a little.

13128. (58) Are you satisfied with the present designation, "the Provincial Civil Service?" If not, what would you suggest?—I see no harm in the present designation.

13129. (60) Are the existing rates of pay and grading in the Provincial Civil Service of your province adequate to secure the desired qualifications in the officers appointed? If not,

what alterations do you recommend?—I have nothing to say against the existing rates of pay, but the promotion beyond the last two grades is very slow; and consequently very much discouraging to competent men. This should be expedited by all means.

13130. (61) Do you approve of the arrangement by which officers of the Provincial Civil Service holding listed posts draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various appointments?—I think the proportion is fair.

13131. (62) Have you any proposals to make with regard to the leave rules applicable to the Provincial Civil Service? In particular, do you regard the existing differences between the leave rules for the European and Indian services as suitable?—I am unable to make any definite proposals, but complaints are heard now and then from the members of the Provincial Service about the leave rules and superannuation pensions.

13132. (63) Are you satisfied with the present system of superannuation pensions for officers of the Provincial Civil Service? If not, please say what modifications you would suggest, and on what grounds?—I am unable to make any definite proposals, but complaints are heard now and then from the members of the Provincial Service about the leave rules and superannuation pensions.

SIR BIJAY CHAND MAHTAB called and examined.

13133. (Chairman.) What is your caste?—Kshatriya.

13134. You are a large zemindar in Bengal, I believe?—Yes.

13135. Therefore you have had considerable experience of the different communities in India?—Yes.

13136. In answer to question (3) you say that so far the Indians, who have passed into the Indian Civil Service, seem not to have been so successful in district and mufassal work as they have been in their examinations. Am I to gather from this that their administrative work which has come under your observation has not been so successful as it might have been?—They have not shone so brilliantly as they have at the examinations. Very often one hears complaints that as Indians they ought to have done better than they did.

13137. You suggest as a remedy that there should be a supplementary examination out in India to complete their training?—Yes.

13138. Do you think that a second examination would be likely to effect the purpose you have in your mind, if the first somewhat severe examination in England has not effected it?—It is not so much a question of a second examination of the same severity, as it is to the necessity of passing an examination on general subjects out in India which the Civilian has got to cope with in his every-day life.

13139. I take it that you are criticising not any deficiency of intellectual acquirements, but rather the want of efficient experience in the every-day work of administration?—Yes.

13140. And you think some form of training would get over that difficulty?—I think some form of training would be necessary, in the same way as some form of training is necessary for Europeans in the Indian Civil Service coming out to India. Of course, the method of training may have to be different in the case of an Indian.

13141. You feel that the deficiency which you have in your mind is one which can be remedied?—Yes, certainly.

13142. Then your suggestion is that Indian recruits for the Indian Civil Service, after entering into the service, should be obliged to pass a test of general fitness, which would apply exclusively to Indians, and would not be extended to Europeans?—I think in my subsequent reply I have referred to the European also undergoing some training out here in languages, and things like that. Therefore, this particular training would primarily apply to Indians.

13143. But your suggestion is that it would be not only a training, but something in the way of an examination, which might entail the rejection of the candidate?—In that case it would entail the rejection of a European candidate, supposing the European candidate did not pass the language examination. It applies in the same way to the European as it would to the Indian.

13144. Do you not think that this would have a discouraging effect on recruitment?—It is difficult to say, because whatever deficiency, or whatever want of knowledge, has been experienced

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[continued.]

by those Indian members of the Indian Civil Service is due to a great many facts, not simply to their want of knowledge, but to many other facts which, of course, an examination alone would not eradicate.

13145. In answer to question (7) you have stated that you are in favour of a separate examination in India for Indians?—I am not fully in favour, according to that answer. I have said that this change may be desirable, but later on in that very answer I have referred to fixing the percentage of the appointments to be given to Indians?

13146. You fix the appointments at 25 per cent., and in the case of District Judges you propose a proportion of between 35 and 45 per cent.?—Yes.

13147. Does that mean that 35 to 45 per cent. of Judges would be included in your one-fourth, or in addition to your one-fourth?—It would be inclusive of the one-fourth. I take it that it would be a little more than one-fourth.

13148. If your scheme were carried out you, would be in favour of reducing the number of listed posts?—I would not be in favour of reducing the number of the listed posts; but I would be in favour of fixing a percentage for Indians in the listed posts. That is practically what my reply comes to. Supposing we had, say, in a year fifty appointments, according to my percentage a certain number of those appointments would go to Indians.

13149. In other words you would fix the listed posts at what they are, and whatever there is over to make up the one-fourth you would throw into a separate examination in India?—Yes. What I mean to say is, that in the listed posts you would have to have, say, a percentage for candidates who have passed their examination in India, and among the other posts of course they would be open to every candidate in the same way as by examination in England.

13150. In answer to question (8) you say that you would like to see Indians appointed by direct nomination to some of the highest posts in the service. Does that mean that you would bring in by nomination men of position outside the Indian Civil Service?—Men both of position and ability: it does not matter what their rank may be.

13151. They must pass a qualifying examination?—Yes, in the same way as you are now putting men into the Executive Council.

13152. How many nominations of that character would you suggest?—I think I have suggested one Commissioner for every five years in a province.

13153. They would be confined to those high posts?—Yes. My idea in suggesting this is, that any Indian member who enters the Executive Council very often has not got experience of administration, therefore if he did good work as a Commissioner he may possibly be a good or eligible candidate for being appointed as an Executive Councillor later on. Therefore it is very necessary, if we are to introduce into the country the system of getting Indians to enter the Executive Council without any former knowledge or former experience of the administrative machinery, to put Indians also in as Commissioners.

13154. You would regard the post of Commissioner as a probationary post?—Not in every case; but giving an extra field to Indians for learning the machinery of administration in higher posts, those that are not in the service.

13155. In answer to question (15) you suggest raising the age-limit for Indian candidates. Is this really necessary, seeing that an Indian who matriculated at the age of 16 could get a degree by the time he was 22?—This has been put in because the difficulty was pointed out to me that certain candidates lost their chances in the Civil Service owing to this new rule of the Calcutta University. I have no personal experience of it myself, but it was mentioned to me.

13156. You made the suggestion then from outside information?—Yes.

13157. In answer to question (35) you say that junior officers are too frequently appointed as Under-Secretaries at head-quarters. How soon do officers get these appointments in Bengal?—I am afraid I have no experience of that; but we very often find that many junior officers would be better employed in the mufassal than by remaining in the Presidency towns as Under-Secretaries. When they have to go back to the mufassal, in the first place they do not like the idea of going back; and, secondly, it takes them some little time to again carry on the work of the mufassal, which is, after all, more important.

13158. You want them to be out in the districts in preference to being at head-quarters?—Yes, I want them to be more in the districts.

13159. In answer to question (44) you say that "the new scheme of the Sadar Subdivisional Officer should be abandoned." What is a Sadar Subdivisional Officer?—It is now being worked out with the relative work of the District Magistrate in his head-quarters. There is to be a Subdivisional Officer as he is in other parts of his district, and the Sadar Subdivisional Officer is generally an experienced Deputy Magistrate. The reason why I put this answer in was this, that in case it was under contemplation to have a service higher than the Provincial Civil Service, something like the old statutory service, it would be better to have all Joint Magistrates, or Assistant Magistrates, and that each head-quarters should have a Joint Magistrate and an Assistant Magistrate, and that the Joint-Magistrate should invariably have charge of the Sadar subdivision.

13160. Sadar meaning head-quarters?—Yes.

13161. In answer to questions (52) to (54), with regard to the Provincial Civil Service, you appear to advocate recruitment partly by open competition and partly by nomination?—Yes, by nomination.

13162. Is that in order to give due representation to different communities?—Yes, and of course there is the invariable complaint about favouritism being shown. Of course, by competition that complaint to a certain extent would disappear.

13163. Do you regard it as important that the various communities should be represented amongst the officers?—I think I have mentioned that point. By communities, if it means different classes, then, of course, a fair proportion is generally fixed by the Government in each

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province; but that should be done very guardedly, so as not to give rise to the question that one particular community is being favoured at the expense, or cost, of the other. But why I wish the old competitive system to be restored partly in the Provincial Service, is that I think it would put down a great deal of heartburning which does exist among candidates for the Provincial Civil Service now-a-days because it is entirely done by nomination.

13164. Would you retain promotion from the Subordinate Service?—Certainly. I would retain promotion from the Subordinate Service.

13165. (Lord Ronaldshay.) I am not quite clear what your opinion is about simultaneous examination, but from your answers I rather understand that you would be opposed to it?—I would only favour it if the proportion were fixed.

13166. If the proportion of Indians were definitely laid down?—Laid down amongst the listed posts. Then for the sake of the Indian I would prefer both simultaneous examination as well as permitting them to appear at the examination in England. I would leave both doors open.

13167. If you lay down a certain proportion for the listed posts, and then you have simultaneous examination in England and in India, would you not run the risk of rather shutting Europeans out of the service?—Not necessarily; because the number of Indians who do pass every year is not so very large in the Civil Service in England.

13168. Do you not think that if simultaneous examinations were started, a very much larger number of Indians would pass?—Quite so. But if the proportion was fixed.

13169. That is the point I was not clear upon. I thought you said the proportion of instead posts must be fixed. Do you mean that the proportion of all the Civil Service posts must be fixed?—Exactly.

13170. I understand. But what do you say the proportion for the whole of the Civil Service posts should be?—There should be a proportion of one-third for Indians, and two-thirds for Europeans.

13171. You say you think that it is desirable that classes and communities should be represented in the service of the country; but that under the present system the Hindu-Moslem question has been rendered acute. In what way has that been done?—In a particular province, now defunct, that question was made very acute by the way recruitments were made to that particular service. The favouritism shewn to Moslems over the heads of Hindus made the question very acute. Therefore, whatever proportion is fixed upon, it should be so fixed on the ground that one man may be a Hindu and the other man a Moslem, because the Moslem is not in all cases able to cope with matters with the same intelligence as the Hindu could do. Therefore, he wants protection. But if it is carried too far, as it was in that province, naturally the Hindu-Moslem question becomes acute.

13172. I suppose Eastern Bengal was the province you referred to?—Yes.

13173. And I suppose you were referring to appointments in the Provincial Service?—Yes, mostly; because in the other appointments it depends upon the candidate that comes out accepting such promotions from the Provincial Service to the Civil Service. There is no other way for class representation into the Civil Service.

13174. I want to be quite clear about your scheme for a new intermediary service. I understand you would like a service intermediary between the present Civil Service and the Provincial Civil Service to fill the listed posts?—What I mean is this, that in the Civil Service supposing one year we want seventy candidates for posts to be filled in the whole of India, and if among those seventy we fix a proportion, a certain percentage will be open for Indians. If you have simultaneous examinations out here my own fear is that even after that examination, if those Indian students go to England, I doubt whether they will be of the same metal as they would be if the examination were held in England, and, consequently, the service will become slightly inferior. That is what I meant by the intermediary service.

13175. You really do not want the formation of a new service?—Not necessarily.

13176. What you meant by an intermediary service was that some of the Indian Civil Service officers themselves would be assigned to listed posts, and so on?—Yes.

13177. I should like to ask you one other question with regard to the present system of recruitment to the Civil Service. I rather gather from your answer to question (1) that you think that at the present time a certain number of rough diamonds, so to speak, get into the service?—Yes.

13178. Do you think that that can be avoided by a system of nomination before the examination takes place: that is to say, would it be an improvement on the present system if the candidate who went up for the competitive examination had to receive a nomination first, say from a Nomination Board?—I think my answer to that is, as I have said, that I have no personal experience as to the mode of recruitment in England. I am not talking of Indians who go to England. I am talking of Europeans who are recruited for the service. Of course in the competitive examination, whoever passes with the highest marks got in, but, whether over or above, admitting the candidate to appear at the competitive examination, some sort of nomination or a Nomination Board, would improve matters. It is very difficult for me to say. Fortunately, my experience has all along been very happy, and very good so far as members of the Indian Civil Service are concerned; but complaints are heard of occasionally, and particularly from old men who say that the old class of Civilians was better in this respect and that respect, and so forth. Therefore I have mentioned that in my reply for the simple reason that it may be enquired into—as to what are the defects, if there are any defects.

13179. Quite so. We are supposed to be enquiring into that?—My answer, I think, is quite clear upon the point, because I have said that I have no personal experience.

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13180. I take it from the answer which you have given to me, that you have not yourself come across any Civil Service officers who have been deficient in manners, or character, or anything of that kind?—We meet rough diamonds all the world over; but I do not believe in judging the whole service by one or two men who may have been the better-off had they better manners.

13181. (*Sir Theodore Morison.*) I should like to ask you a general question with regard to the answers in connection with the Provincial Service. Is the Provincial Service considered to be an honourable career for men of good family in Bengal?—Yes, provided, of course, that they are able to cope with the work.

13182. What I mean to say is this. If a distant relation of your own were to enter the Provincial Service, his family would not regret it?—Certainly not.

13183. They would be rather pleased, would they not?—There is no question of pleasure, because now-a-days you find people of very good family going into the Provincial Service because of want and need. To get into Government service is not thought to be derogatory in any way.

13184. Even to get into the Provincial Civil Service?—No: certainly not.

13185. With reference to question (8) you say you would introduce Indians of rank and ability?—Yes.

13186. To what extent, may I ask, does rank and good family count in Bengal at the present day?—Rank does not count simply because a man has pots of money. For instance, a man of good education and culture very often, and rightly, ranks over a wealthy zemindar who may have lots of money. Rank generally counts here by position in society.

13187. Would you find a man who came from a good old Kshatriya family in rank high?—Unfortunately there are no Kshatriya families in Bengal except myself. So that the question of Kshatriya families does not come in.

13188. Have you any caste that would be considered to be of the same standing?—My desire in putting this answer is this, that in England you get men from what is called the "leisured class." Out here there is no inclination on the part of the members of the leisured class to enter public service, or to be of public use. In the ordinary public life they have got great difficulties. An ordinary politician may go to extremes, such as a man of position or rank cannot or dare not do. But in the case of creating a healthy desire on their part to do good to the administration of the country, my desire is that they should get appointments in the same way. For instance, you have given one or two appointments in the Executive Council lately to particular noblemen. In one case, unfortunately, it has not been a success, though people thought it would be. If you had more men of the leisured class who could get into such appointments by nomination you might, in time, get a class of men who would be able to serve in your Executive Councils or take high administrative posts, and do their work well. That is my reply.

13189. I see the advantage of the leisured class, but I want to know if this leisured class

can bring anything into the Administration which would be of value. Do they command influence in the country, and in Indian society in Bengal, particularly?—It all depends upon the personal qualities of the men.

13190. It is personal, and does not belong to the class?—That is so.

13191. (*Mr. Chaulai.*) In answer to Lord Ronaldshay I think I understood you to say that when the proportion of one-third and two-thirds is attained, those posts should be put into the listed posts?—I am afraid I do not quite understand what you mean by "listed posts" here.

13192. That is what I was going to clear up. You said that if the proportion of listed posts was fixed, then you have no objection to simultaneous examinations; at least that is what I understood. Surely you do not mean that the persons who come out successfully in the simultaneous examination should get only two-thirds of the salary of the posts, and should not have all the other privileges of the Indian Civil Service? In the listed posts at present, *i.e.*, the posts from the schedule which are left open to the Provincial Service, and which may be filled up by Indians, the holders only get two-thirds of the salary which the Indian Civil Service men get when they come out from England?—I did not mention anything about the salary. My idea was that they should get the appointments.

13193. By the listed posts you do not mean that they should get the same salary as the man in the present listed posts gets?—No.

13194. When you said that the Provincial Service was considered honourable, I take it that you distinguish it from the Imperial Civil Service, do you not? The gentlemen who come out into the Civil Service through the competitive door in England form the Imperial Service, and this is the Provincial Service?—Yes.

13195. Do you like this aspect of the Provincial Service, that, however able and fitted a man may be he can never hope to rise above Rs. 800?—I do not like that aspect if Rs. 800 is going to be the maximum.

13196. But it is?—It is the maximum now, but it cannot always be the maximum. You will have to raise it some time or other.

13197. I am asking about the present Provincial Service. Is not there dissatisfaction in connection with the whole Provincial Service, owing to the fact that it is a service in which it is not open to any man to rise above Rs. 800 as a member of that service?—I should say that there is every possibility of there being discontent.

13198. But do the public like this feature of the present Provincial Service?—I have not heard any very great complaint against that.

13199. (*Mr. Gokhale.*) In reply to question (3), you say, "So far, the Indians that have passed into the Indian Civil Service seem to have been not so successful in district and mufassal work as they have been in their examinations." I have not been able quite to understand your meaning. Will you kindly explain this a little more to me? What is in your mind when you say, that they have not been so successful in district and mufassal work as in their examinations?—I mentioned to

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the Chairman that, considering they are of the land, and considering they ought to know more of the administration and the customs of the land, they are not the same successes as the average Englishman who is new to the land is, with all his drawbacks.

13200. That is what I want to understand. Do you mean to say that they show ignorance of the customs of the people, or what is the complaint?—I should not like to say that they show ignorance, but very often they show, what you may call, apathy towards the customs. I have very often heard complaints with regard to that. I have, however, no personal experience of it, but I have heard complaints from the adjoining districts to our district, where there have been Indian officers, that they would have been better off if they had had European officers. That complaint may be due to several things. One is, probably, that the Indian officer has not got the courage which he ought to have in doing his administrative work; secondly, he may be inexperienced on the point which I have mentioned in my reply; and, thirdly, it may be a question of his superior officers not being so well disposed towards him as they ought to be. There may be several causes like that; but there is no doubt that this complaint is sometimes heard against an Indian officer.

13201. What I want to get at now is whether the complaint is with regard to their official work, or in connection with their attitude with regard to the customs and ways of the people?—It would be very difficult to say.

13202. You began by saying that they did not show the same knowledge of the customs of the people, that their attitude towards the customs of the people was not the same as that of an Englishman who had just arrived in the country?—Yes.

13203. I want to know whether the complaint is that they allow their reforming tendencies too much scope, and shew contempt towards the customs of the people?—That is partly my meaning. Whether it is pretence or real, I cannot judge, but they very often show the same kind of ignorance which you might expect from the average Englishman when he comes out to India for the first time.

13204. Is it that their sympathies are with social reform, and that they are rather impatient of orthodoxy?—That may be quite possible. All this may go to make up the reason of their not being so successful as they ought to be.

13205. If it is merely impatience towards orthodoxy, that would be one point; but if it is official, administrative incapacity or inefficiency, that is another point. I want to know what it is that you have in your mind?—I think I have got a little of all these things in my mind.

13206. How many Indian Civilians have you known in Burdwan?—In Burdwan I have known three or four.

13207. Have they been successful?—As I said just now, in Burdwan I have had no complaint of that kind.

13208. So that for the rest it is mere hearsay?—Not quite hearsay. We have also had experience, because we have got property in adjoining districts.

13209. The Chairman put a question to you about the supplementary examination that you propose. You say that the supplementary examination is for the purpose of completing their training. What sort of an examination is it to be? This examination is to be part of their training, as far as I understand your answer here?—Yes.

13210. What is the meaning of that? How is this examination to be a part of their training?—When you have a European coming out to India, he has to pass certain examinations in language and other things; in the same way, in all such points, an Indian member of the Indian Civil Service who might have shown deficiency, or might have shown want of more knowledge, should undergo an examination on those points on which the deficiency has been noticed.

13211. How are you to notice the deficiency unless the man has been working?—I think the members of the service are the best persons to point it out, and not other members who have had personal experience; because a lot of Indian members have been in my district at a time when I was much younger and I was not able to appreciate or otherwise consider their work.

13212. I do not want to labour this point, but I want to know if you have any definite period in your mind during which they should undergo special supplementary training, and when they should be subjected to a separate examination: have you any definite idea in your head?—That all depends upon the kind of subjects that they have to take up.

13213. You do not propose anything definite?—No.

13214. In reply to question (8) you say, "I would introduce the appointment of Indians of rank and ability to the posts of Additional Commissioners, Commissioners, or even Members of the Board of Revenue." Do you think that the expert knowledge which is necessary for these officer could be supplied by non-officials appointed straight away to these posts?—How can you guarantee that expert knowledge can be supplied?

13215. That is a different thing altogether. You know really what portfolios Indian members of the Executive Councils have at present generally throughout the country?—I know that certain departmental work is given to them.

13216. In the first place they have the assistance of a Secretary who is high up in the service; secondly the principal portfolio is Local Self-Government, of which a man acquires experience even outside the ranks of official life; therefore there is not the same difficulty in an Indian member discharging the duties of a Member of the Executive Council that there would be if he were appointed Commissioner, with seven or eight Collectors under him. Is it feasible?—I believe there was such a scheme in Sir Edward Baker's time, that Indians should be appointed as Additional Commissioners.

13217. Additional, by that is meant Commissioners who might learn their work after appointment?—I do not know exactly the details of the scheme, but I know there was such a proposal.

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13218. You speak of recruiting the Judicial branch of the service partly from the Bar, and you say you advocate it on the ground that the problem of the educated unemployed requires looking after. Surely if you tackle this question from that standpoint, how many educated unemployed can you employ?—You are after all examining one side of the service in India. There are several services in which the educated unemployed might get employment. We are just now talking about the Judicial Service, and there is no reason why some of them should not get employment in that service.

13219. You think there should be a larger number of Indians employed in the public service?—Yes.

13220. And this is part of them?—Yes.

13221. Do you not approach the question from the standpoint of the employment of Indians from the Bar improving the judiciary?—I believe that question has been very often disussed, both in public bodies and in the press, that experiments should be made as to whether or not members of the Bar make quite as good District Judges as members of the Civil Service.

13222. You have no very clear opinion upon that subject, whether members of the Bar would or would not make better Judges than members of the Civil Service?—I have no personal experience as to that.

13223. And you have formed no personal opinion?—My personal opinion is that a start should be made.

13224. (*Mr. Sly.*) I think, perhaps, some confusion has been caused in your evidence by the use of the term "listed posts." Will you kindly explain to us in what sense you use that term; what you mean by "listed posts" in your evidence?—I mean all the posts open to the Civil Service according to the Statute.

13225. In fact, you mean the posts scheduled for the Indian Civil Service?—Yes.

13226. (*Mr. Madge.*) In answer to question (1) you say that the present system does not always attract the best class of Englishmen competing for it. Do you mean that because the system, while testing intellectual capacity, does not test character? Or, may you also mean that the attractions of the Indian service, and work in India generally in all professions, are lessening?—I have already answered this question by saying that I have no personal experience of this matter beyond the fact that complaint is heard of at times that the same class of men very often do not come out to India as of old. Why that complaint is made I have suggested should be enquired into. As I have not any personal experience, I am afraid my answer must be the same as I have already given to one of the members of the Commission.

13227. I do not think I have fully explained the point of my question. You have large experience amongst all classes in this country. One hears amongst merchants and others that the attractions of India are getting less to Englishmen generally: have you any opinion upon that subject?—I think it is quite possible that may be one of the reasons.

13228. It would react upon all Civil Servants, and others, alike?—Yes.

13229. In answer to question (3) taken in connection with your recommendations for probationary periods, I should like to know whether in your opinion this condition or improvement would come better from observation later in life or earlier in life, during the more impressionable period of a man's life?—I think at the beginning; the more impressionable period of a man's life.

13230. In answer to question (8), you say that the Government ought to have an eye on the representation of all the communities. Would you include the domiciled Anglo-Indian also; they are small in number, but they are not altogether negligible?—I do not know in what way the domiciled European community is represented, so that I cannot very well speak as to the ratio according to which it ought to be represented.

13231. I did not mean to ask any definite ratio, but where there is representation of all classes of the community, do you, or do you not, think that domiciled Europeans and Anglo-Indians should have a share, whatever that share may be?—I would rather not answer that.

13232. As regards the separation of the Executive from the Judicial office, you have already been asked a question as to the reason you have given for it, but I should like to know whether, in your opinion, the experience that every Civilian acquires in the early period of his career is not valuable to him both in Executive and Judicial Service?—I think a great number of Civilians who have entered the Judicial Service have been ornaments to that service; but what my answer applies to is that a start should be made by recruiting men for the Judicial Service, from the Bar.

13233. But what I asked was, whether during the earlier period of his career every Civilian, as an Executive officer, does not acquire valuable experience of the country, its ways, its people, and so forth, that comes of use to him subsequently, should he elect a judicial career?—I think all general experience that he gains of the country would become of value to him, whatever career he may choose in life afterwards.

13234. Do you think that a Civilian Judge, for instance, promoted to the Sessions, could altogether dispense with the valuable knowledge that he acquires earlier in his life as Assistant Magistrate or Joint Magistrate during his executive career: could he drop it altogether and yet be the same useful officer?—I have not been a Judicial officer in the Executive branch of the service myself, so I am afraid my answer must be want of experience.

13235. Looking generally at the service which the public officer owes to the country, from what standard would you look at it, from that of a comparatively small educated class, or from the point of view of the interests of the great masses? A public officer views his duties from one standard or another: do you think he should consider the claims of the comparatively small educated class, or rather those, as I understand them, of the great masses, generally even though they are voiceless?—I do not quite see the relevancy of this question to the administration, because administration has to be carried out on lines well defined, and in carrying out an administration, whether in the Judicial or the

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Executive Service, no doubt any sensible officer would try and respect the feelings of the general public as far as it lay within his power, whether the general public represented a small proportion of the educated community or of the general masses, who, as you say, are voiceless.

13236. What I mean is this. A Civilian gathers certain knowledge of the people during the earlier portion of his career; he may find one class quite voiceless, and another more articulate, and he may form an idea as to whether their interests all run in the same direction, or are partly opposed to one another: supposing them not to run in exactly the same direction, would he rather be guided by the needs, as he understood them, of the great body of the people, or of the more articulate class?—In political matters he would, no doubt, have to be guided by the more articulate class; but in matters of general administration I think he would have to be guided by the greater number of people who are under his charge.

13237. In answer to a previous question you have touched upon the subject of tapping the influential classes. The Statutory Civil Service is supposed to have failed, because the right selections were not made. Do you think that the system was wrong, or that the selections were not of the happiest?—I have not experience of the selections of the old Statutory Civil Service.

13238. Do you think such a system, if worked with careful selection,—from men of influential families—would work any better than it has done before?—I understand that the Statutory Civil Service is no longer in existence.

13239. But supposing it was revived?—I do not see the necessity of reviving it.

13240. You have an opinion of your own as to the desirability of preserving the British tone in the administration in years to come?—Certainly.

13241. Do you think that you depend upon the progress of the machinery of the administration, or on the personality of the officers working it?—I think, combined.

13242. Neither more than the other?—The machinery probably is all right; but the machinery is very often upset by the man who is in charge of the machinery.

13243. Then you would probably think that the personality of the man was more influential than the other?—I think that is always the case all over the world in everything.

13244. (Mr. Abdur Rahim.) You are a zemindar in Western Bengal?—Yes.

13245. Have you had much experience of Muhammadan officers in the Provincial Service in your district?—Yes, I have had experience of Deputy Magistrates. I do not remember any Muhammadan Munsifs, but I have heard of Muhammadan Deputy Magistrates.

13246. What opinion have you formed of them?—A good number of those who have been there have been quite good officers.

13247. You tell us that in Eastern Bengal the Muhammadans were favoured at the expense of Hindus?—Yes.

13248. Have you any personal experience of that?—No.

13249. That was the cry that was raised?—Yes, that was the cry that was raised, and the effects of it are still to be found, I think, in the province.

13250. That was one reason why the partition was modified, is it not?—Has the partition been modified?

13251. I suppose you know that Eastern Bengal and Western Bengal have been combined?—It may not be a modification.

13252. Call it what you will; but that was one of the strongest reasons urged against the partition?—I do not think it was a strong reason urged against the partition alone, but it was one of the reasons that kept up an unfortunate state of affairs in Eastern Bengal, and this complaint was among the people in Eastern Bengal, and not among the people who agitated for the partition, among the people in Calcutta for instance.

13253. Do you know Muhammadan officers who have been appointed in Eastern Bengal?—No.

13254. Whether they are competent or not?—I have not been to Eastern Bengal myself, so that I am unable to say.

13255. You cannot from your own knowledge say whether incompetent Muhammadans were appointed?—No.

13256. You will agree with me that Muhammadans do not think they were unduly favoured?—I think the Muhammadans behaved very well, because on account of the favour which was shown to them they might have taken more advantage of it than they did. I think they are more satisfied.

13257. At any rate they did not think that they were unduly favoured?—I do not suppose any person who is favoured ever thinks that he is unduly favoured.

13258. It was the cry of the other side?—Most likely the other side had reason to complain.

13259. I suppose you know that in the earlier days of the British settlement there were a very large number of Muhammadan officers?—Yes.

13260. The greater majority of them were Muhammadans?—Yes.

13261. And it was they who helped in organizing the administration of Bengal?—There may be differences of opinion upon that subject.

13262. They were employed largely in administration there?—No doubt they were employed, but whether they helped to build up that administration there may be differences of opinion,—in Calcutta.

13263. You know in those days, whether there were Hindu or Muhammadan officers, the business was carried on in Urdu or Persian, was it not?—Yes.

13264. And that when English was introduced for the first time, a clean sweep was made of the Muhammadan officers?—It may have been done.

13265. You know that in Burdwan, your own district, that happened?—Yes.

13266. Do you not think it would be very unfortunate if any system is introduced, which will again have the same effect of making a clean sweep of the Muhammadans from the Government service?—Certainly. I am all for the protection of Muhammadans in the service.

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13267. You would consider that a very unfortunate thing?—Yes.

13268. (*Sir Valentine Chirol.*) I understand from your answer to question (8), that you wish to see opportunities given to members of a class which has a considerable stake in the country, but which has at present very little share in the administration, or little chance of gaining experience in the administration of the country?—Exactly.

13269. Do you think that the present system of recruitment in the Indian Civil Service by competition alone leads to the representation in the administration of the country of all classes that have a stake in the country?—You mean the members of the Civil Service.

13270. Do you think that the system of competition in the Civil Service is calculated to give all classes of the community the representation they should have in the administration of the country?—There are so very few of the Indians that go into the Civil Service.

13271. I was asking you, in principle, do you think that a system of open competition carried out whether in England or in India is calculated at present to give a due representation to all classes of the community that have interests in the country?—I do not think so.

13272. You do not think so?—No.

13273. Yet it is calculated to give very large representation to what are called the educated classes in India?—Yes.

13274. Do you think that what are called the educated classes in India represent fully all the classes that have an interest in the administration of the country?—Every class is represented, but certain classes preponderate owing to their intelligence and activity.

13275. You can foresee that there are interests in the country which are not fully represented by what is called the public opinion of the educated classes: would you say that all the interests of the different classes of Indian society are fully and equally represented by the public opinion which is commonly called the opinion of the educated classes?—Not always.

13276. (*Sir Murray Hammick.*) I should like to ask you whether you think, from what you have seen in Bengal of the social status of the Indian Civilian who comes out from England, that the esteem in which he is held differs very much from the esteem in which officers of the Provincial Service are held?—Yes.

13277. You think that Indian officers who come out take a distinctly superior position to that which is held by officers of the Provincial Service?—Yes.

13278. In reply to question (2) you suggest that certain means should be taken for introducing non-officials into the higher posts in order to qualify them for becoming Members of the Executive Council. I should like to ask you whether you would desire to see the Members of the Executive Council, as a rule, taken from the Indian officers of the Civil Service, or whether you would like to see, as happens now, those appointments filled from outside?—I should like to see them filled from outside.

13279. You would not like to see those appointments left to the Indian Civil Service?—No.

13280. In answer to question (12) you say that the present Statutory definition of the term "Natives of India" in section 6 of the Government of India Act, 1871 (33 Vict., c. 3), may undergo some change. Why do you wish to exclude all mixed Europeans of Indian descent and Anglo-Indians who have established themselves in this country for good, from the benefits of that Statute?—Because at present in the Indian Civil Service there are not so many Indians who get in, and if in the Provincial Civil Service, too, a ratio goes out to others, it is not quite fair to Indians of pure descent.

13281. You think that the Indian element is sufficiently represented under ordinary conditions, and that it does not need to be assisted by the Secretary of State under this Statute of Victoria of 1870?—Yes.

13282. It is not because you think that these people are unfitted to take the posts, but it is because you think they are already properly represented?—That is so.

13283. (*Mr. Bompas.*) With regard to your reply to question (8), you, I believe, take an active part in the administration of your estates?—Yes.

13284. A zemindar who does that is brought into contact with all branches of the administration in the mufassal, is he not?—Certain branches, certainly; a great number.

13285. He must know a good deal about the way in which they are worked?—Yes.

13286. And now that landholders are represented on the Legislative Council, it is not because the landholder who serves on that Council gets a certain amount of experience in the way of legislation and the way in which questions are looked at from the Government point of view?—Yes.

13287. And are not those a very fair training for a man who becomes a Member of the Executive Council?—I want it additional because that is always sufficient. Executive Councils have only just begun to work, and the landlords' special representation is a new thing. It will take some time before landlords get experience or take full advantage of it.

13288. There is a good deal of litigation, is there not, connected with all zamindaris in Bengal? You must have a good many cases always going on in the mufassal courts?—Yes.

13289. Have you any feeling of distrust if your cases come, originally or on appeal, before a Civilian Judge?—No.

13290. You said that in some of the districts adjoining Burdwan, Indian officials had not been so successful as might have been expected?—Yes, that is so.

13291. Were you thinking chiefly of Indian members of the Indian Civil Service or officers promoted from the Provincial Civil Service, or Statutory Civilians?—Both, but mostly the latter.

13292. (*Mr. Mukherji.*) With reference to the Provincial Civil Service question (56), do you know the proportion of posts above Rs. 500 among the Deputy Magistrates who number 300?—No, I do not.

13293. When I tell you that the number of posts above Rs. 500, that is Rs. 600, or Rs. 700 or Rs. 1,000, is only 9·3, (less than 10)

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per cent. of the entire service, would you still adhere to your opinion that no complaint is made?—Complaint is very often made, as I have said, in the first two grades mostly. If that be the percentage, no doubt there would be every ground for complaint thereto

13294. With reference to your answer to question (60), regarding the existing rates of pay, the highest pay, as you know, is Rs. 800?—Yes.

13295. But the highest pay of the Superintendent of Police is Rs. 1,200, of the Executive Engineer Rs. 1,250, and even of the Subordinate Judge Rs. 1,000. Do you not think that the pay is too small to be the highest pay of this service?—I have no personal experience of that. As I said in reply to a question by one of the other members, whether Rs. 800 is the ideal maximum now-a-days, or not, it is difficult for me to say.

13296. (Mr. Sen.) Do you remember that there was a debate in the Bengal Legislative Council in August or September 1910, when the Hon'ble Dr. Deba Prosad Sarbadhikary recommended to the Local Government that the question of improving the pay and status of the Provincial Judicial Service might be taken into consideration?—Yes.

13297. In the course of that debate you said that the Hon'ble Doctor had made out a very strong case for the Provincial Judicial Service?—Yes.

13298. In answer to question (47) you say: "The promotion from Subordinate Judges to District Judges, or from Deputy Magistrates to District Magistrates, is of rare occurrence, and the percentage should, in my opinion, be raised a little higher, for it is very disheartening to many deserving officers." By this do I understand you to say that the present number of listed posts, namely eight, open to members of the Provincial Service, Judicial and Executive, should be increased?—What I meant by that is not the actual raising of the number of posts open according to the listed posts. You have mentioned the

encouraging of those that deserve promotion, that is to say in the Provincial Service. A Deputy Magistrate in the first grade has to retire at Rs. 800, and a Subordinate Judge has to retire at Rs. 1,000. Very often there are deserving Deputy Magistrates and Subordinate Judges who deserve promotion in the highest service, and for them the ratio at present existing about promotion might be raised.

13299. The present number is, as I pointed out, eight, so that these eight posts are already filled up?—Yes.

13300. And do you think that the number should be increased, or not?—I should say that not only should the numbers be increased, but that there should be quicker promotion too.

13301. In answer to question (56) you say: "As far as the Executive Branch is concerned hardly any complaint is heard of. The number of Judicial officers, especially the Munsifs, may require increasing a little." Is that because they are a very over-worked class of officers?—Yes; the Munsifs are very often over-worked.

13302. In reply to question (60) you say "I have nothing to say against the existing rates of pay, but the promotion beyond the last two grades is very slow, and consequently very much discouraging to competent men. This should be expedited by all means." From this do I understand that you recommend a general reorganization of the existing grades of both Provincial, Judicial and Executive officers, and that there should be an increase of salary in all the grades?—Not simply an increase of salary, but very often there is a block, and a lot of energetic and competent officers do not get promotion.

13303. You recommend a revision of the grades so that the numbers may be increased, and that promotion may be quicker than at present?—I do not think it will be entirely on revision. I think it will be on the point of a lot of people sticking who ought to retire.

(The witness withdrew).

AMRITALAL MUKHERJI, Esq., Officiating

Magistrate and Collector, Birbhum.

Written answers relating to the Provincial Civil Service.

13304. (1) Please refer to Government of India Resolution No. 1046-1058, dated the 19th August 1910, defining the general conditions which should govern recruitment to the Provincial Civil Service, and reproduced as Appendix A. Are these conditions suitable, or have you any recommendations to make for their alteration?—These conditions are suitable so far as the Executive branch is concerned.

13305. (2) Please supply a copy of the rules for the recruitment of the Provincial Civil Service in force in your province. Are these rules suitable, or have you any recommendations to make for their alteration?—These rules are suitable so far as the Executive branch is concerned.

13306. (3) Please see the statement showing the constitution of the Provincial Civil

Service, reproduced as Appendix B to these questions, and state whether the information is correct for your province. If not, what alterations are required?—It appears from the Civil List corrected up to 1st October 1912 that there are at present altogether 296 Deputy Magistrates and Deputy Collectors; the number shown in Appendix B is 299. The number of officers in the 2nd, 3rd, 4th, 5th and 6th grades is less than the sanctioned number, while the number of officers in the lowest grade is 101 against the sanctioned strength of 79. The discrepancies are, however, expected to be made good at the time of the next promotions to different grades.

13307. (6) What is your experience of the officers selected by the different methods of recruitment, which method has proved the most satisfactory, and what changes, if any, in the

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present system of recruitment do you recommend? For direct recruitment do you recommend (a) open competition, (b) nomination, (c) combined nomination and examination, or (d) some other method? Please describe fully the system that you recommend?—I think that the present method of recruitment, so far as the Executive branch is concerned, is most satisfactory. For direct recruitment I recommend nomination.

13308. (7) To what extent are non-residents of the province employed in your Provincial Civil Service? Do not consider that only residents of the province should ordinarily be recruited? The number of non-residents of the province employed in our Provincial Civil Service (Executive branch) is very small?—I consider that only residents of the province should ordinarily be recruited.

13309. (8) Are all classes and communities duly represented in your Provincial Civil Service? Do you consider that this is desirable, and what arrangements do you recommend to secure this object?—All classes and communities are not duly represented in our Provincial Civil Service (Executive branch). I do not consider it desirable at the sacrifice of efficiency.

13310. (9) What is the system of training and probation adopted for officers of the Provincial Civil Service? Do you consider it satisfactory, and, if not, what alterations do you recommend?—The system of training and probation adopted for officers of the Provincial Civil Service (Executive branch) is that the Probationary Deputy Magistrates and Deputy Collectors are placed under Magistrates and Collectors to learn work (both revenue and criminal). The success of the system depends mainly upon what attention a Collector can pay to probationary officers under him. The system is satisfactory so far, but I would recommend that the probationary officers should work for some fixed period of time with the Public Prosecutors to learn criminal work.

13311. (10) Is the existing system of departmental examinations suitable; and, if not, what changes do you recommend?—It is suitable.

13312. (11) Do you consider that any change should be made in the classes of offices and appointments at present included in your Provincial Civil Service?—No.

13313. (12) What is the system on which the strength of the ^{Executive}/_{Judicial} branch of your Provincial Civil Service is fixed? Do you consider it satisfactory and, if not, what alterations do you recommend?—The strength of the Executive branch of our Provincial Civil Service is based upon the estimate of requirements made by the Government of Bengal. I consider it satisfactory.

13314. (14) Is there any reserve for officers under training and is it adequate?—There is no reserve for officers under training. Officers are seldom put under training.

13315. (15) What is the annual rate of recruitment and how is it fixed? Has it worked well in practice and does it secure an even flow of promotion?—The annual rate of recruitment is 12. It is fixed by an estimate of requirements made by the Government of Bengal. It

has worked well in practice and secures a fairly even flow of promotion.

13316. (16) To what extent is any system of selection for appointments to the higher grades enforced? Is any change of practice required in this respect?—The system of selection for appointment to higher grades (of Rs. 500 and above) by approved merit combined with seniority is, as a rule, enforced. No change of practice is required in this respect.

13317. (17) Are you satisfied that under the existing system of promotion the interests of individual officers and of the administration are duly reconciled, and have you any suggestions to make regarding it, particularly on the subjects of selection for higher appointments and of the compulsory retirement of inefficient officers?—I am satisfied that under the existing system of promotion the interests of individual officers and of the administration are duly reconciled and I have no suggestion to make regarding it.

13318. (18) To what extent are the functions of the officers of the Executive and Judicial branches of your Provincial Civil Service differentiated? Is any change desirable; and, if so, in what direction?—The officers of the Executive branch of our Provincial Service do judicial (criminal) work as well as revenue work, besides a certain amount of out-door work in connection with revenue work; but the officers of the Judicial branch do only judicial work and absolutely no out-door work. I do not think, however, that any change is desirable.

13319. (19) Are you satisfied with the existing arrangements by which certain posts, ordinarily filled by members of the Indian Civil Service, are listed as open to officers of the Provincial Civil Service of proved merit and ability, and is the system followed in making appointments to these posts suitable? If not, what alterations do you suggest?—I am satisfied with the existing arrangements by which certain posts, ordinarily filled up by members of the Indian Civil Service, are listed as open to officers of the Provincial Civil Service of proved merit and ability, and the system followed in making appointments to these posts is suitable.

13320. (20) Are you satisfied with the system by which most of the inferior listed posts are merged in the Provincial Civil Service? If not, what change would you suggest?—Yes.

13321. (21) Are you satisfied with the present designation "the Provincial Civil Service"? If not, what would you suggest?—Yes.

13322. (22) Do you accept as suitable the principle recommended by the Public Service Commission of 18-6-87, and since followed, that the conditions of the Provincial Civil Services as regards salary should be adjusted by a consideration of the terms necessary to secure locally the desired qualifications in the officers appointed? If not, what principle do you recommend?—I do.

13323. (23) When was the last general reorganization effected, and what improvement of prospects was effected thereby?—The last general reorganization of the Provincial Civil Service was effected in 1892, when a number of appointments ordinarily reserved for members of the Indian Civil Service was thrown open to

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the Provincial Civil Service (both branches). Prospects were greatly improved, really meritorious officers were made eligible for listed posts, and promotions in the lower grades were facilitated.

13324. (24) Are the existing rates of pay and grading in the Provincial Civil Service of your province adequate to secure the desired qualifications in the officers appointed? If not, what alterations do you recommend?—Yes.

13325. (25) Are you satisfied with the present system under which officiating promotions are not made in the Provincial Civil Service? If not, what alteration do you recommend?—I am not satisfied with the present system under which officiating promotions are not made in the Provincial Civil Service (Executive branch). There should be officiating promotions, and acting allowances should be given to officers so promoted.

13326. (26) What is your opinion regarding the substitution of a time-scale of salary for the existing graded system of promotion? If you are in favour of a time-scale, should it be restricted to the lower grades of the service, or not?—I am in favour of the substitution of a time-scale of salary for the existing graded system of promotion. It should, however, be restricted to the lower grades of the service.

13327. (29) If you recommend any kind of time-scale of pay, please describe the scheme that you propose, and state what conditions should be laid down in regard to the grant of increments, promotion to superior grades, charge allowances and other matters of importance. How do you propose to apply such time-scales in provinces where the scale of pay of the Executive and Judicial branches of the service is different?—I recommend the following kind of time-scale of pay:—

| Years of approved service. | Rs. |
|--|-----|
| 1, 2, 3 (commencing from the date on which departmental examinations are completely passed)... | 250 |
| 3, 4, 5, 6 ... | 300 |
| 7, 8, 9, 10 ... | 400 |

Promotions to higher grades will be by approved meritorious service combined with seniority. Officers enjoying time-scale of pay will not get any charge allowances. The scale of pay of the Executive and Judicial branches of the service should be equalized in the lower grades to which the time-scale of pay is to apply. In Bengal the last grade of the Judicial branch on Rs. 200 should be abolished, as has been done in the case of the Executive branch.

13328. (30) Do you approve of the arrangement by which officers of the Provincial Civil Service holding listed posts draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service?—I do.

13329. (31) Is there any reason to suppose that officers of the Provincial Civil Service take more or less leave of any particular kind than they did 5, 10, 15 or 20 years ago? If so, to what is this due?—There is reason to suppose that officers of the Provincial Civil Service (Executive branch) take more privilege leave combined with

furlough. This is partly due to the fact that furlough to a certain extent after a certain length of service counts towards pension, and partly to better ideas of personal health and comfort.

13330. (32) Is all the leave on full pay due to them ordinarily taken by officers of the Provincial Civil Service; and, if not, what are the reasons? Is the amount which can be earned in your opinion suitable? If not, what alternative arrangement do you suggest?—All the leave on full pay due to them is ordinarily taken by officers, except when they are holding special posts or are in healthy stations when they are naturally averse to run the risk of a change for the worse.

13331. (33) Is all the furlough due to them ordinarily taken by officers of the Provincial Civil Service? Is it necessary to allow for as much furlough as is permissible by the present rules? If not, what change do you suggest?—All the furlough due to them is not ordinarily taken by officers of the Provincial Civil Service (Executive branch). It is, however, necessary to allow for as much furlough as is permissible by the present rules. It is a privilege which is highly valued.

13332. (34) Do you consider that the rates of furlough allowances are suitable? If not, what changes do you recommend?—The rates of furlough allowances are suitable, except for the fact that no minimum is fixed for half average salary. It should be fixed at Rs. 250 if paid in India, and £300 if paid at the Home Treasury.

13333. (35) Do you consider that the maximum and minimum limits of leave allowances at present fixed are suitable?—The maximum limits of leave allowances at present fixed are suitable. But no minimum limits appear to have been fixed. They might with advantage be fixed at half the maximum limits.

13334. (36) Have you any recommendations to make in regard to special leave, extraordinary leave without allowances, and other forms of leave? Do you consider that the present conditions governing these kinds of leave and the leave allowances admissible are suitable?—I have no recommendations to make in regard to special leave, extraordinary leave without allowances and other forms of leave. I consider that the present conditions governing these kinds of leave are suitable. The leave allowances appear also to be suitable subject to the recommendation made in answer to questions (34) and (35).

13335. (37) Generally speaking, do any of the present leave rules applicable to the Provincial Civil Service cause inconvenience to the administration; and, if so, what; and what remedy do you suggest?—The present leave rules applicable to the Provincial Civil Service (executive branch) cause some inconvenience to the administration in that it brings about frequent transfers of officers. The remedy I suggest is that each district should have at least one officer more than its sanctioned strength.

13336. (38) In particular, are they a contributory cause of excessive transfers of officers; and, if so, how can this difficulty be met?—They are a contributory cause of excessive transfers of officers, and this difficulty can be met by the remedy proposed in answer to question (37).

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13337. (39) Do any of the present leave rules press hardly in any way on officers of the Provincial Civil Service; and, if so, in what respects?—I do not think that the present leave rules press hardly on officers of the Provincial Civil Service (Executive branch).

13338. (40) Is the present system of superannuation pensions satisfactory in the interests both of the Government and the members of the Provincial Civil Service?—Yes.

13339. (41) Have you any suggestions to make in favour of any modifications in its detailed working; and, if so, what, and for what reasons?—I have only one suggestion to make in favour of modifications in its detailed working. It is this: The condition (a), article 375 of the Civil Service Regulations, should be modified, and one year's continuous probationary or officiating service should be substituted for two years' such service.

13340. (42) Do you approve of the grant of reduced pensions for such officers as may be found to be inefficient, but whom it may be difficult to retire without some provision for their subsistence?—I do not.

13341. (43) Do you approve of the present system regulating the pensions of officers of the Provincial Civil Service holding listed posts? If not, what do you suggest?—I do not approve of the present system regulating the pensions of officers of the Provincial Civil Service (both branches) holding listed posts. The maximum

limit of pension for these officers should be fixed at Rs. 500 a month, or half the average salary, whichever is less.

13342. (44) Do you consider that the existing rules governing the voluntary and compulsory retirement of members of the Provincial Civil Service are satisfactory?—I consider that the existing rules governing the voluntary and compulsory retirement of members of the Provincial Civil Service are satisfactory.

13343. (45) To what extent do members of the Provincial Civil Service subscribe for the benefit of their families to the Government General Provident Fund, or to other official or officially recognized funds? Are any further facilities required, and what arrangements of this kind do you consider to be necessary?—Members of the Provincial Civil Service (executive branch) generally subscribe for the benefit of their families to the Government General Provident Fund or to the Hindu Family Annuity Fund, excepting those who have insured their lives in the Postal or other Insurance offices. No further facilities appear to be required.

13344. (46) Are you satisfied with the existing organization of the Provincial Civil Service? If not, please state what alternative organization you consider desirable, and explain fully your views, making any suggestions that appear to you to be suitable?—I am satisfied with the existing organization of the Provincial Civil Service.

MR. AMRITALAL MUKHERJI called and examined.

13345. (Chairman.) You are officiating as District Magistrate and Collector of Birbhum?—Yes.

13346. Are you an officer who has been promoted to a listed post?—Yes.

13347. How many years have you occupied that position?—About a year.

13348. What position did you occupy before?—I was in the fourth grade of Deputy Magistrates and Deputy Collectors.

13349. I notice that, generally speaking, you are satisfied with the present organization of the Judicial Civil Service, but that you suggest certain changes?—Yes.

13350. From your reply to question (37), I understand that you would like to see an increase in the strength of the cadre?—Yes, I would.

13351. What is your reason for making that proposal?—So that there might be one officer more. If an officer goes away on leave there need not be any transfer.

13352. It would save transfers, you mean?—Yes.

13353. You would suggest an improvement in the scale of pensions?—Yes, I would.

13354. You have not worked out any scheme, have you?—No.

13355. You make a general observation in that direction?—Yes.

13356. In answer to question (25), you say that you recommend the grant of acting pay to officers who have no change of duties? If they have no change of duties, on what ground do you make that proposal?—They do the same work as the officer on leave. The men who

officiate generally do the same work as the work that is done by the officers for whom they are officiating.

13357. You would confine increased pay to those who are put in to do the work of officers who have gone on leave?—Yes.

13358. (Sir Murray Hammick.) You say that you have been in a listed post for one year?—Yes, for about a year.

13359. Can you tell me how many officers there are in the Provincial Service above you? I see you are in the fourth grade. About how many officers are there in the third, second and first grades?—About thirty officers.

13360. I suppose you have been appointed to the listed service by selection not merely because you are the next officer for it?—I suppose so.

13361. There are a good many officers above you who are still holding Provincial Service appointments, are there not?—Yes.

13362. And you were selected especially for this appointment?—Yes, I suppose so.

13363. What district were you in before you went to Birbhum?—Municipal Magistrate in Calcutta.

13364. I should like to clear up the question with regard to officiating pay. Do you know why it is that Indian Civilian get officiating pay when one man goes on leave, and another man steps in and gets the allowance?—Do you know any special reason for that? I am not aware of any special reason.

13365. There is a special reason, but you do not know of it. What you want is that that system which exists in the Indian Civil Service

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should be extended to the Deputy Collectors' grade?—Yes.

13366. What you mean is that, supposing a fourth grade officer gets promotion, or takes furlough, and supposing a fifth grade officer is put into the fourth grade, you would like him to get the allowances while the other man is on furlough?—Yes.

13367. He may be doing the same work, he may not move his station, but he goes into the fourth grade and according to what you think, he ought to get the pay?—Yes.

13368. Owing to the vacancy caused by the man who has gone on leave?—Yes.

13369. (Mr. Abdur Rahim.) There is a strong public opinion in Bengal in favour of the separation of executive and judicial, is there not?—I find it in the papers.

13370. Public opinion is not confined to the papers?—It is a very difficult question to answer. If public opinion is to be found out in the papers, that is so.

13371. So far as you have the means of judging of that opinion?—I think there is a difference of opinion.

13372. What is the special advantage which you find in this combination?—I think it does a great deal of good to the poor and helpless people.

13373. What has the combination of the executive and judicial functions to do with the poor people?—In this way. The poor people of the country cannot have their grievances brought forth in the public press, or before the public men. It remains to the Magistrate to find out what the grievances are on the spot. To the greatest extent the combination of the judicial and executive functions helps the Magistrate in giving relief to the poor.

13374. I fail to understand what you mean. Will you kindly explain more fully in what way the combination of these two functions enables Magistrates to give relief to the poor?—It gives the Magistrate more control. It gives greater weight to the advice and instructions of the Magistrate than it otherwise would have.

13375. Instructions to whom?—To the people.

13376. What instructions has a Magistrate to give to the people?—I can give you a concrete example. A Magistrate goes and finds that the underlings of the zemindar are oppressing the poor people, but the poor people cannot afford to come to court and have their grievance repressed by the public courts. If the Magistrate proceeds tactfully and tackles the zemindar and sees that the underlings do not oppress the poor in this way, I think that will achieve a great amount of good for the poor.

13377. How does the combination help him to do it better than he would do it otherwise?—In this way. The persons who are responsible for this high-handedness know that if they do not listen to the words of the Magistrate, probably they may be proceeded against and some unpleasant results may happen.

13378. Proceeded against him in what way?—According to law.

13379. But that anybody can do. I suppose if a zemindar does anything wrong, which is against the Penal Code, he can be proceeded

against?—But it is very difficult to secure evidence to get the wrong-doers punished.

13380. You mean, then, not to proceed according to the law, but against the law?—Not at all. It is the fear of unpleasant consequences which might induce them to pay better respect to the law than they otherwise would do.

13381. The fear of unpleasant consequences, not brought about by any legal steps, but by measures otherwise than legal?—I believe it is not illegal to ask a zemindar to see that his underlings do not oppress the poor people.

13382. This combination does not help him to do it any better than if there was no such combination?—In this way, that the people would listen with greater respect to the Magistrate so long as the judicial and the executive are combined.

13383. What you really mean is that the District Officer being a Magistrate is in a better position to inspire fear of the law under the present state of things?—He can inspire fear for the law.

13384. (Mr. Mudge.) May I understand what you mean in this way, that the Judge and the Magistrate are both governing a district and trying to set right wrong as much as they can, and that the Magistrate in his executive capacity acquires, by moving about amongst the people, a knowledge of the people, and of their surroundings, that a purely Judicial officer does not acquire by sitting at the head-quarters. Is that anything like what you mean?—Exactly.

13385. (Mr. Macdonald.) With reference to the answers you have given to the questions about furlough, and other forms of leave, could you tell me how often you take holidays?—I seldom take holidays.

13386. I understand you to say that you certainly do not take official ones in three or four years?—That is so, not official ones.

13387. Why do you not take holidays oftener?—Because it is not convenient for them to take short holidays and to leave the place. That means a good deal of expenditure of money.

13388. You say "them." Who are the "them"?—The members of the service.

13389. Is not your pay fixed in such a way as to assume that a certain amount of it can be laid by for holidays?—I do not think so.

13390. I think you say in answer to one of the questions that when privilege leave is asked for, it is sometimes refused?—Yes.

13391. When it is refused, could you tell me why?—Sometimes on account of the paucity of officers to be spared; because there are no officers that can be spared to relieve him. In a district where there are more officers than are absolutely necessary for the disposal of work, it is easier for an officer to go on leave; but if an officer has to be sent by Government to relieve him it takes a long time, and often the leave has got to be put off.

13392. Does your statement amount to this, that the Provincial Service staff in many places is inadequate to afford leave-time for the officers?—Yes, I have suggested in answer to question (37) that there should be at least one officer more than is sanctioned.

13393. You would want as many as one officer more?—Yes.

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13394. Do you find that the lack of holiday is a serious impediment to the doing of work?—Not a serious impediment; but it would be better if the officers got rest now and then.

13395. If they got just an ordinary holiday in the same way as European business people get?—Yes. That would be more conducive to their health and comfort.

13396. Would you prefer a short holiday every year to the power to accumulate until you got a good accumulation, and then go away from your work altogether?—I think that would be more suitable to us.

13397. You would like to get away altogether for a long period?—Yes.

13398. Is that good for the service?—It is good for the service.

13399. (Mr. Sly) You know that the Provincial Civil Service was reorganized about 1899, was it not?—Yes.

13400. Did not that reorganization include a specific leave reserve in the service?—I do not find any leave reserve in the Civil List as I do in the case of members of the Indian Civil Service.

13401. There is a leave reserve exactly on the same basis as it is in the Indian Civil Service?—I am not aware of it.

13402. What I want to ask you is whether cases in which leave has been refused have occurred as frequently since that reorganization as they did before?—No. At present leave is more easily obtained than it was previously.

13403. In answer to question (41), I see you have made a complaint because the probationary service does not account for pension?—Yes, I have suggested that it should be reduced in that case.

13404. Is it not the case that before the reorganization of 1899 an officer had to put in, on an average, eight years' officiating service before he was confirmed?—I was confirmed after a service of two years and a few months.

13405. I believe statistics show that the average was more or less eight years before that reorganization?—I think officers were confirmed shortly after they had passed their departmental examinations completely.

13406. But they were officiating for a longer period before they got confirmed?—I do not think so; not so long as that.

13407. You wish that the whole of the probationary service should count?—Only one year should be excluded.

13408. You refer in question (45) to the Hindu Family Annuity Fund? That, I believe, is a private fund to which the Government gives certain special facilities for the collection of subscriptions?—Yes.

13409. Can you please tell us what proportion of the service subscribes to that fund in your experience?—I guess it to be about 10 per cent. of the Hindu members of the Provincial Service.

13410. Do you consider that that fund gives all the facilities that are necessary for family pensions?—No.

13411. Then what would you desire in addition, for you have said that there are no further facilities required?—I think the Government General Provident Fund, to some extent, supplies the place of other funds.

13412. And you do not desire any other funds?—I do not desire.

13413. So far as you know, there is no general demand in the service for any Family Pension Fund?—No, there is no general demand in the service.

13414. (Mr. Gokhale.) You defend the present combination of the judicial and executive functions on the ground that it enables the district officer to help the poor?—Yes.

13415. Will you kindly enlighten me a little more on the point by telling me how exactly this happens?—May I give you a concrete example?

13416. You gave one; give it again if you like?—When I took charge of the district of Birbhum I found the food-stuffs to be very bad, most obnoxious—especially *ghee*. I myself inspected the most important markets from which *ghee* was supplied to the interior of the district and found that the stuff was as bad as anything: in fact it was not *ghee* at all, it was fat of the worst sort. I explained to the people who were dealing in *ghee* that it would be most unreasonable to injure the health of the people in that way, and they were liable to prosecution under the Penal Code. They held a meeting and said that they would destroy all the *ghee*: in fact, they destroyed about two thousand rupees worth of the stuff which they called *ghee*, and said they would not sell such *ghee* any more, and their example was followed by other importers, and the importers of other food-stuffs throughout the districts. I do not think that I could have effected this improvement in a short time if the executive and judicial functions were not combined, not that I wanted to prosecute them, but they knew they were liable to prosecution, if the desire was not given effect to.

13417. I see your point. But suppose you had no magisterial functions, and you were merely a District Officer and you had gone there, held a meeting, explained the law to the men concerned, and had told them that, unless they put the matter right, you would set the law in motion,—of course not yourself try the case, or yourself exercise magisterial functions, but set the law in motion, in the regular way—would not that have been effective?—Not at all; they would have gone to a lawyer and taken advice and probably would have got any amount of expert evidence and they would have expected success.

13418. That means that, on account of this combination of executive and judicial functions, any legal remedy that they might otherwise have attempted was practically denied to them?—Not at all, because they did it of their own accord.

13419. But they did it because of the fear that you were there, and you had advised a certain course and if they did not follow that course they would be punished. That is what it comes to?—No, but the fear of consequences.

13420. Fear of consequences—at your hands?—Not at all. I would not have tried the case.

13421. But the fear was that you possessed magisterial powers and you had given them that advice?—Most likely the case would have been

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transferred to another district, because I was the investigating officer.

13422. But then why do you want magisterial functions for merely advising the people?—It is the feeling of the people.

13423. Analysing that feeling further, does it not come to this, that they felt that if they did not accept your advice you would see that they were punished because you had magisterial functions? If they were to be tried by another Magistrate, how would your magisterial functions help you in this matter?—Whether my magisterial functions would help me or not, is not the point. The point is that the people know that there is a District Magistrate who should be listened to, because he has the right to help them always.

13424. Now, stick to the point please. What would happen if the magisterial functions were taken away from you?—Most probably, they would not have listened to my advice.

13425. They would not have listened to your advice because you had no magisterial functions?—Yes.

13426. That is, because of the fear of this power in you they would do a thing which you advised them to do and which they would not otherwise do?—It is the fear of the unpleasant consequences.

13427. If you had not your magisterial functions, but as a matter of fact, set the law in motion against them, the consequences would have been unpleasant to them, if they had been guilty?—Yes, it would have been equally unpleasant to them.

13428. Whether the trial had been before you, or anybody else, the fact that you had magisterial functions results in their being afraid of you, which again results in their being denied the protection of the law really?—They are not afraid of me so much as afraid of consequences of the prosecution.

13429. Have not you heard of the abuses resulting from this combination?—I have heard.

13430. Does it not come to this ultimately that the present combination gives opportunities to officers to put what may be called improper pressure on the people—even if the result is good?—I have heard of cases.

13431. Even in a case like this, supposing the *ghee* destruction was necessary and desirable, you could put pressure upon them simply owing to your magisterial functions?—Beg your pardon; I did not put pressure upon them. I called all the *ghee* vendors and *ghee* importers together and appealed to their feelings—most of them are Marwari Hindus—just to find out whether this *ghee* was not bad.

13432. I understand that point. But what had they in their mind—why did they do, when you had the magisterial functions, that which you feared they would not do, if you had not the magisterial functions, the law of the land being the same?—Probably they thought that if they did not do what they ought to do in this matter, they would be criminally prosecuted.

13433. But you could have had them prosecuted criminally even if you have not the magisterial functions yourself?—I could have them convicted as the stuff was as bad as could be imagined.

13434. Then, how has this combination helped you—except that there was a fear in their minds which was improper?—Because prosecution would have meant ruin to them.

13435. If men prefer to be prosecuted, while having the protection of legal advice, why should you take it upon yourself to care for their interests better than they do themselves?—I do not see how a man would prefer to be prosecuted unless legally advised to do so.

13436. (Mr. Chaulal.) As fourth-grade Deputy Collector, what was your salary?—Rupees 500.

13437. Thirty officers above you were drawing salaries above Rs. 500?—Yes.

13438. I suppose it is a rule that promotion to grades above Rs. 500 goes by selection?—Above Rs. 400, I suppose.

13439. Above Rs. 400 or Rs. 500 it goes by selection?—Yes.

13440. Therefore one may take it that the 30 persons above you who were getting Rs. 500 and above had been previously selected as fitting men who deserved to be promoted to higher grades?—I think so.

13441. Now you say that the present system of recruitment to the listed posts is very satisfactory; you say that in your answer?—Yes.

13442. Suppose any of those gentlemen whom you superseded were asked as to what was their opinion about this system of recruitment, what would be their reply?—I cannot say what their reply would be. When I was superseded by a junior officer it never occurred to me that I was superseded, but I thought that he was a fitter person than I was.

13443. You think any of the 30 would, if asked, say that the system of recruitment is very satisfactory?—I am not in their confidence; I cannot say what they would say.

13444. Then there is another question, and it is this: you say there are 299 Deputy Collectors—are there not? You said 296; and you correct it by saying it is 299?—Yes.

13445. In your province, between the Provincial Judicial and the Provincial Executive there are eight listed posts, are there not?—I suppose so.

13446. Can you tell me how many of these eight are generally allotted to the Judicial branch and how many to the Executive branch?—I do not know the exact number, but I think a larger proportion goes to the Judicial branch.

13447. But what is it—4 and 4, or 3 and 5, or 1 and 7?—I do not know the exact number.

13448. Can you say in your branch how many listed posts are held by them? You ought to know that, roughly, four listed posts or five?—At present four.

13449. So we may take it that there are four judicial and four executive listed posts roughly?—Yes.

13450. What is the number of persons in the Judicial branch of the Provincial Service—the total number?—I do not know exactly the total number; it might be about 300.

13451. Just about the same as the number of Deputy Collectors?—I suppose so.

13452. Then you think that eight listed posts for 600 men is sufficient scope for promotion?—I do not consider it sufficient scope for promotion,

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but I consider it sufficient scope for rewarding good meritorious service. Promotion is had in the ordinary course.

13453. You say in your answer to question (23) "the last general reorganization of the Provincial Civil Service was effected in 1899 when a number of appointments ordinarily reserved for members of the Civil Service was thrown open to the Provincial Service (both branches). Prospects were greatly improved, really meritorious officers were made eligible for listed posts and promotions in the lower grades were facilitated?"—Yes.

13454. So you think, leaving four posts for 300 Executive officers in the Executive branch is ample scope for promotion?—I never said that it was ample scope for promotion, but the flow of promotion was facilitated.

13455. Supposing four persons, taking the Judicial branch, got into the listed posts, *i.e.*, in 1899, and they are all of the same age, then ordinarily it would not be possible for anybody to get into the listed posts until 20 or 25 years?—In the Judicial branch they do not stick to the listed posts for more than two or three years.

13456. The Judicial branch?—Of the Provincial Service? The listed posts in that branch of the service are generally occupied by officers who do not stick to their posts for more than three or four years.

13457. What do they do then?—They retire on pension.

13458. You mean to say that they are given these offices so old that they have only two or three years' pensionable service to put in before retirement?—Yes; that is what happens.

13459. Has the first batch retired?—I believe they have retired long ago.

13460. And then the second batch which was put in, is not that younger than the first batch?—Yes.

13461. Then, while this young batch is holding these four listed posts, it is not possible for anybody to rise by promotion to the listed posts?—No; it is not possible.

13462. You are holding one of the listed posts, and you will understand the situation—that a situation must arise which is of great consequence, which will affect the prospects of the Provincial Service. In Bombay, for instance, we have three listed judicial posts or District Judges and Sessions Judges; all three men of the same age are holding the three District Judgeships, with the result that for 20 years more there is not likely to be any chance for any man of the Provincial Service to get up into the listed posts. Do you consider that to be a satisfactory feature of the listed posts?—Not at all.

13463. Now coming back to the question of the separation of the judicial and executive functions, you are for the combination of the two?—Yes: in the present state of things.

13464. As a Deputy Collector you had magisterial powers?—Yes.

13465. First-class or second-class?—First-class powers.

13466. You move about in the district?—I do.

13467. How many months in the year do you move about in the district?—About three or four months.

13468. Only three or four months in the year you mean you are stationary for eight months?—I go out for about 120 or 130 days in the year.

13469. But you are supposed to be at your head-quarters during the monsoons?—There is no hard-and-fast rule; but as a matter of fact I go out every month for some days.

13470. All this time, while you are going round the district, you are doing your magisterial work?—Not at all, except cases under section 110 of the Criminal Procedure Code, and livelihood cases.

13471. That is all?—These are all the cases that I try.

13472. You mean to say that your first class magisterial powers are confined to Chapter VIII cases?—Yes, as a District Officer.

13473. No other magisterial work?—Very seldom.

13474. Then what is the arrangement for the magisterial work?—The Deputy Magistrate and the Honorary Magistrate deal with the other cases.

13475. Leave aside the Honorary Magistrates; they are honourable gentlemen; let us not touch them. We are talking of the stipendiary Magistrates?—They do the bulk of the criminal work.

13476. Who do?—A great portion of the criminal work is done by the Honorary Magistrates.

13477. Leave aside the Honorary Magistrates. As to stipendiary Magistrates in your district, when you worked as 4th class Deputy Magistrate, how many stipendiary Magistrates were doing the work?—Three.

13478. These stipendiary Magistrates; did any of them go round the districts; were any of them stationary?—One Magistrate has just been appointed Subdivisional Magistrate and he will go round the district.

13479. Ordinarily I don't want particular instances?—Ordinarily they do not; they occasionally go out, but not as a rule. As a rule, they do not go round the district.

13480. They do not go round the district?—Some of them do go round the district; except the Treasury officer the other officers go round the district.

13481. The Huzur Deputy Collector or the Treasury officer is always in the station?—Yes.

13482. But the other Magistrates are required to go round the district?—Occasionally they go.

13483. While on their tour, do they take criminal cases?—Very seldom.

13484. Section 110 cases or Chapter 8 cases, what about them?—They are tried on the spot.

13485. That is, you try them on the spot while you are going round?—First the report is submitted, and I fix the date according to the convenience of the parties, and try the case on the spot.

13486. You mean to say that you are able to finish the cases at one sitting?—Almost, as a matter of fact I do.

13487. Then you do not know of any cases in which the accused and the witnesses have to follow you from camp to camp?—Not a single case.

13488. With none of the Magistrates?—With none of the Magistrates.

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13489. Now in the instance that you gave to Mr. Gokhale, you said that you called a meeting of the importers of *ghee*, of the importers, the sellers and the shop-keepers, whoever they may be, and you gave them certain beneficial advice?—Yes.

13490. You gave them advice as a private gentleman; did you not?—Whether I gave the advice as a private gentleman or not they took it as a sort of advice from the Collector.

13491. That may be. I wish you will kindly answer my question. It was not in the discharge of any duties as an Executive officer or as a Judicial officer that you called that meeting and gave them that advice; you did it only as a private gentleman?—No, as an Executive officer I called that meeting.

13492. As an Executive officer?—Yes.

13493. May I know what rule or regulation requires an Executive officer to call together a meeting of importers and shop-keepers?—There is no rule or regulation restricting the limits to enable the Collector to do good to the people.

13494. Question of doing good apart—I am coming to that,—you have the prestige of your office behind you; but you exercised this prestige, not in the formal discharge of your duty as an Executive officer; you called a meeting of this people and advised them that this was not a good thing to do, it was very deleterious to the health of the people and that they were making themselves liable to criminal prosecution, and therefore they should desist from the practice. That is the way you probably advised, just as any other person would have. Now my question is, supposing there is a separate Judicial officer who calls a meeting and advises them in the same way, would not his prestige as a Judicial officer, though not having executive powers, carry the same weight?—If he were a Judicial officer?

13495. Take the Munsif. Suppose he is invested both with civil jurisdiction as he is at present, and also with criminal jurisdiction; and the Munsif, either stationary, placed at head-quarters, or going round his taluk, acts in the same way in which you did, would not his prestige carry the same weight which your prestige as Executive officer did?—Most probably it would.

13496. (Lord Ronaldshay.) I have three questions that I want to ask you. The first one is with regard to the listed posts. I should like to know whether, if the listed posts were taken away and the access to the Indian Civil Service was made easier for Indians by means of the institution of an examination in India, the institution of such an examination would be regarded by the Provincial Service generally as a compensation, as an adequate compensation, for the abolition of listed posts?—I suppose so; it should be.

13497. You think it would?—Yes.

13498. That would be the opinion of the Provincial Service generally?—Yes.

13499. The second question arises out of what you have been saying with regard to the combination of the judicial and the executive functions. I want to ask you one simple question; am I to understand, from what you have said, that, as long as you have magisterial

functions, you can often interfere in your executive capacity to prevent wrongs being done to the *raiyats* without being actually compelled to have recourse to litigation?—Yes, that is always done.

13500. That is what you mean?—Yes.

13501. I am justified in drawing that conclusion from what you say?—Yes.

13502. My last question is with regard to the Family Pension Fund. Do you think that all members of the Provincial Service ought to be compelled to subscribe either to the General Provident Fund, or to the Hindu Family Annuity Fund, or to the Bengal Christian Family Pension Fund, or at any rate to some fund which would make provision for their families in the case of their death?—I think they should be compelled to subscribe to one of these funds.

13503. (Mr. Bompas.) As regards the system in Bengal, which, I think, Mr. Chaudhary scarcely understood, it is a fact that in Bengal criminal courts, courts of Deputy Magistrates, sit permanently at head-quarters?—They do.

13504. And these officers are not touring officers though they may occasionally go about the district, but as criminal courts they generally sit at head-quarters in the district?—Yes, as criminal courts they sit at head-quarters of the district.

13505. The Subdivisional Officer may have to tour, but he generally has a second officer at head-quarters, if he goes away?—Even if he does he does not take cases with him.

13506. Not in Bengal?—Not in Bengal.

13507. You were asked questions as to short leave. Do you still think it correct to say in answer to question (32) that Deputy Magistrates take all the leave on full pay due to them?—I said, "it is ordinarily taken by the officers, except when they are holding special posts or are in healthy stations, when they are naturally averse to run the risk of a change for the worse." I make some reservation.

13508. Would you make the general statement that these Deputy Magistrates take three months' leave on full pay every three years?—Not always; generally.

13509. Suppose he does take the short leave, three months' leave, what does he generally do with the three months' privilege leave?—He goes home.

13510. The system of going to holiday resorts and places of recreation has scarcely begun to come into existence in Bengal?—That is unknown.

13511. He simply goes and sits at home without change of climate, without any active occupation for his mind and body?—That is so.

13512. (Mr. Mukherji.) With reference to your answer to question (17) where you say that you are practically satisfied that under the existing system promotions in the service are satisfactory, are you aware that there are very serious complaints of congestion in certain grades, that men have been eight or nine years in certain grades without any promotion?—Yes, I am conscious of that fact.

13513. Can you tell me what is the reason of it?—One reason that suggests itself to me

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is that extensions are too frequently and for long periods given to superannuated officers.

13514. And any other reason?—The number of posts in the higher grades is smaller than the number of posts in the middle and the lower grades.

13515. Would you like any of the top grades added to, that is, having any grades higher than Rs 800?—I think there should be a grade on Rs. 1,000 just as the Judicial branch of the Provincial Service has got.

13516. (Mr. Sen.) Are you not Magistrate and Collector of the Birbhum district?—Yes.

13517. Is it within easy reach of Calcutta?—It takes about seven or eight hours.

13518. Personally do you like that station?—I do.

13519. Is not that district one of the most healthy in Bengal as constituted at present?—It was considered one of the most healthy districts, now it is not healthy.

13520. Not a healthy district?—No.

13521. Is not the Judge Indian?—Yes.

13522. Is not the Civil Surgeon Indian?—Yes.

13523. And the Police Superintendent?—Indian.

13524. Will you please let me know whether this system of putting a district in charge entirely of Indian officers is working well?—I am quoting the words of the superior inspecting officers, and they say that the district is working well.

13525. This system of putting a district entirely in charge of Indian officers is working well; that is the opinion of high officers, superior officers you say?—Superior inspecting officers did not say so in so many words; they were satisfied with the working of the district.

13526. And it has happened that the district is now being manned by Indians?—Yes.

13527. Entirely by Indians?—Yes.

13528. Is there any objection to the continuance of the system as far as it is practicable?—That is a question which I prefer not to answer, because it is almost a personal matter; but I think that it is working to the satisfaction of the Government as well as of the people.

13529. Do you know that there is a grade of Rs. 500 for the Munsif?—There is.

13530. Do you know the number of Munsifs in the Rs. 500 grade?—The number is very small.

13531. May I tell you it is twelve?—That might be.

13532. Do you know that Munsifs cannot become Subordinate Judges until they are 50 or 51 years of age, as a rule?—I think, as a rule, they get into the post of the Subordinate Judges

at about 48 generally; sometimes it is 49 sometimes it is 50.

13533. Is it not a fact that a Munsif, when he becomes a Subordinate Judge, has to run through the grades of Rs. 600, Rs 800 and Rs. 1,000 in the course of four or five years?—That is always the case.

13534. There are cases also in which Munsifs cannot get even to the grade of Rs. 1,000 after becoming Subordinate Judges?—There are.

13535. You recommend that there should be officiating promotions in temporary vacancies?—Yes.

13536. Is that not the rule in the Police Department as also in the case of the Indian Civil Service?—I understand that it is so.

13537. There is a rule as to privilege leave; that is to say, that a man, rejoining an appointment on the expiry of his privilege leave, cannot take again privilege leave within six months?—There is that rule.

13538. Do you not consider this rule an unnecessary hardship?—I think it is rather hard.

13539. You are saying that the listed posts may be abolished in case the competitive examination is bad for Indians, so that more Indians can go into the Indian Civil Service?—I do.

13540. But is that any encouragement to the Provincial Service officers?—It may not be an encouragement to the Provincial Service, but it will be an encouragement to the people of the country.

13541. That is to say, a man should always remain a Provincial Service officer; and notwithstanding that he may be a very meritorious and able officer, there cannot be any opening for him?—He should make up his mind whether to go in for the Indian Civil Service or the Provincial Civil Service.

13542. (Mr. Macdonald.) I should like to have something about the working of the machinery. Supposing that the meeting you addressed about bad *glue* did not take your advice, what would you have done?—I would have had them prosecuted.

13543. Who would have laid the information?—I myself.

13544. Who would have tried the case?—I would have recommended the case to be transferred to some other district because I was the complainant in the case. And I told them so; that if they wanted the case to be transferred, I would have it transferred through the High Court to some other district and should have given evidence.

(The witness withdrew.)

CYRIL HENRY CROSSE, Esq., Deputy Magistrate and Deputy Collector, Berhampore.

Written answers relating to the Provincial Civil Service (Executive).

13545. (19) Are you satisfied with the existing arrangements by which certain posts, ordinarily filled by members of the Indian Civil Service, are listed as open to officers of the Provincial Civil Service of proved merit and ability, and is the system followed in making appointments to these posts suitable? If not, what alterations

do you suggest?—I am not satisfied with the existing arrangements by which certain posts ordinarily filled by members of the Indian Civil Service are listed as open to officers of the Provincial Civil Service of proved merit and ability, but am satisfied that appointments to these posts should be made by selection. I would suggest—(i) that one post in each of the grades of Magistrates and Collectors should be reserved for members of the Provincial Civil

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Service; (ii) that the four posts of Joint Magistrates, which have been converted into posts of Deputy Magistrates, should be restored to their respective grades of Joint Magistrates, but reserved for members of the Provincial Civil Service; (iii) that the two posts of Assistant Magistrates converted to the fifth grade of Deputy Magistrates should be converted to the fourth grade of Deputy Magistrates, i.e., the Rs. 500 grade; (iv) that the two posts of Assistant Magistrates converted to the sixth grade of Deputy Magistrates should be converted to the 5th grade of Deputy Magistrates, i.e., the Rs. 490 grade; (v) that temporary vacancies, caused by Magistrates and Collectors being placed on deputation or going on leave from districts where there are no Joint Magistrates, should, as a general rule, be filled by senior officers of the Provincial Civil Service stationed in those districts, and not exceptionally as at present.

13546. (21) Are you satisfied with the present designation "the Provincial Civil Service"? If not, what would you suggest?—I am not altogether satisfied with the present designation "the Provincial Civil Service," and would suggest that a better nomenclature would be obtained by substituting the name of the province for the word "Provincial," e.g., "the Bengal Civil Service," "the Bombay Civil Service," etc.

13547. (22) Do you accept as suitable the principle recommended by the Public Service Commission of 1886-87, and since followed, that the conditions of the Provincial Civil Services as regards salary should be adjusted by a consideration of the terms necessary to secure locally the desired qualifications in the officers appointed? If not, what principle do you recommend?—I accept as suitable the principle recommended by the Public Service Commission of 1886-87, that the conditions of the Provincial Service as regards salary should be adjusted by a consideration of the terms necessary to secure locally the desired qualifications in the officers appointed, but I do not agree that the principle has been followed. The average pay of the members of the Provincial Civil Service in Bengal is far less than that of the same service in either Bombay or Madras: the average pay in Bengal being Rs. 376, that in Madras being Rs. 400, and that in Bombay being Rs. 436. Yet, as is well known, the bar, medical, and other professions in Bengal offer better prospects to brilliant men than do professions in the other provinces. The pay of the service in Bengal must therefore fail to attract men of the same qualifications as are attracted to the service in the other provinces; and it is obvious that, if a suitable class of men is to be attracted to the Provincial Civil Service in Bengal, the pay of the service must be considerably increased. The province of Bengal, as at present constituted, is, moreover, the most unhealthy and most expensive province in the whole of India; and men who contemplate entering for the Provincial Civil Service, or putting their sons into it, must naturally consider whether it is advisable to do so, seeing that, in the ordinary course of events, they are liable to be posted to one of the many unhealthy districts away from their homes, whereas if they enter a profession

they will be able to choose their own headquarters.

13548. (24) Are the existing rates of pay and grading in the Provincial Civil Service of your province adequate to secure the desired qualifications in the officers appointed? If not, what alterations do you recommend?—*Vide* my answers to questions (22) and (26).

13549. (25) Are you satisfied with the present system under which officiating promotions are not made in the Provincial Civil Service? If not, what alteration do you recommend?—If the present system of grade promotion is followed, I am not satisfied with the present practice by which officiating promotions are not made in the Provincial Civil Service. But see my answer to question (26).

13550. (26) What is your opinion regarding the substitution of a time-scale of salary for the existing graded system of promotion? If you are in favour of a time-scale, should it be restricted to the lower grades of the service, or not?—I am in favour of a time-scale of salary being substituted for the existing graded system of promotion. I would restrict the time-scale to the lower grades, i.e., grades below Rs. 600.

13551. (29) If you recommend any kind of time-scale of pay, please describe the scheme that you propose, and state what conditions should be laid down in regard to the grant of increments, promotion to superior grades, charge allowances and other matters of importance? How do you propose to apply such time-scales in provinces where the scale of pay of the Executive and Judicial branches of the service is different?—I recommend increments every five years from the Rs. 250 to Rs. 500 grades, that is, officers would ordinarily draw Rs. 250 for the first five years of service, Rs. 300 for the second five years of service, Rs. 400 for the third five years of service and thereafter Rs. 500, unless appointed to the higher grades or to some listed appointment. The increment should be granted subject to the condition of good conduct and approved efficiency. Promotion to the superior grades should be by selection of men of approved merit and ability, and permanency in those grades should be secured only by continued good conduct and efficiency: any officer guilty of bad conduct or inefficiency should be reverted to his time-scale grade if his conduct is not such as demands more severe punishment. I would recommend compulsory retirement at the age of 55 years, excepting in the case of officers holding listed appointments. As appointments to the higher grades should be made by selection, so also I would recommend that appointments to the listed posts should be recruited by selection from the higher grades of the Provincial Service only, and the appointment to the posts of Magistrates and Collectors should be made by selection from the posts of Joint Magistrates only. If necessary, the Judicial branch of the service should have its own time-scale.

13552. (30) Do you approve of the arrangement by which officers of the Provincial Civil Service holding listed posts draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various appointments?—I do not approve of

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the arrangement by which officers of the Provincial Civil Service holding listed appointments draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service, because officers of the Provincial Civil Service appointed to such posts should live in the same style and entertain in the same way as any member of the Indian Civil Service would do. Their cost of living and entertaining would then be no less than that of a member of the Indian Civil Service. I would recommend, therefore, that they should draw the full pay of the appointments. Moreover, in the case of an Indian member of the Indian Civil Service, an Indian member of the High Court, or of the Provincial Executive Council, no difference is made in the pay, and there can therefore be no reason why any difference should be made in the pay of a District Magistrate and Collector when he is appointed from the Provincial Civil Service. Further, I would point out that Military and Police officers appointed to the Commission in non-regulation provinces draw the same pay as members of the Indian Civil Service holding similar appointments, although their pay in their own services is much inferior to that of the Civil Service.

13553. (32) Is all the leave on full pay due to them ordinarily taken by officers of the Provincial Civil Service; and, if not, what are the reasons? Is the amount which can be earned in your opinion suitable? If not, what alternative arrangement do you suggest?—All the leave on full pay due to them is not ordinarily taken by officers of the Provincial Civil Service, because they cannot afford to take it; with the result that at the end of their service they are worn out and their whole constitution is wrecked. I would suggest that in Bengal, which is now the most unhealthy province in India, privilege leave of at least five weeks in the year should be allowed, and it should be admissible to accumulate this leave up to six months.

13554. (33) Is all the furlough due to them ordinarily taken by officers of the Provincial Civil Service? Is it necessary to allow for as much furlough as is permissible by the present rules? If not, what change do you suggest?—All the furlough due to them is not ordinarily taken by officers of the Provincial Civil Service, because (a) they cannot afford to take it and (b) they are afraid to use it up by combining small portions of it with privilege leave. The medical leave allowed under Indian services leave rules is not convenient, and I would suggest that this leave be abolished and the amount allowed thereunder on half pay be added to the amount at present allowed as furlough.

13555. (34) Do you consider that the rates of furlough allowances are suitable? If not, what changes do you recommend?—I do not consider the rates of furlough allowances are altogether suitable to the service.

I would recommend that one year of the total furlough should carry furlough allowance of full pay to be taken prior to the furlough on half pay. This with my recommendations under questions (32) and (33) would enable junior officers to avail themselves of leave more frequently and at a time when leave would do them most good.

It is undoubtedly desirable that officers of the Provincial Civil Service should, if possible, spend their furlough in Europe, and to enable them to do so I would recommend that their passages to and from Europe should be paid for by Government conditional on their attending a certain number of trials in the criminal or police courts at home.

13556. (35) Do you consider that the maximum and minimum limits of leave allowances at present fixed are suitable?—I do not consider that any maximum limit of leave allowances should be fixed. As regards the minimum limit, please see my answer to question (34).

13557. (57) Have you any suggestions to make in favour of any modifications in the detailed working of the present system of superannuation pensions; and, if so, what, and for what reasons?—Owing to the depreciation of the rupee, the maximum pension of Rs. 5,000 a year is inadequate. The maximum should therefore be abolished or substantially increased.

13558. (44) Do you consider that the existing rules governing the voluntary and compulsory retirement of members of the Provincial Civil Service are satisfactory? If not, what changes do you recommend?—I would recommend compulsory retirement at the age of 55 years, excepting in the case of officers holding listed appointments; and voluntary retirement any time after 15 years' service on a pension of as many sixtieths of the average pay of the last three years as the officer has years' service.

13559. (45) To what extent do members of the Provincial Civil Service subscribe for the benefit of their families to the Government General Provident Fund, or to other official or officially recognised funds? Are any further facilities required, and what arrangements of this kind do you consider to be necessary?—The Government General Provident Fund is in no way suitable as a provision for the widows and children of the subscribers. What is wanted is a system of pension by which the widows and children of officers of the Provincial Civil Service will be suitably provided for. It reflects great discredit upon Government to find, as is so often the case, the widows and children of deceased Government officers in a state of destitution or entirely dependent on the charity of the general public. I would recommend that the pay of all appointments should be so fixed as to admit of Government granting, without contribution from the officers themselves, suitable pensions to the widows and children of deceased officials.

13560. (47) Have you any other proposals to make in regard to the Provincial Civil Service not covered by your answers to the above questions? If so, please explain them?—I would make the following proposals in regard to the Provincial Civil Service which are not covered by my answers to the previous questions:—

(i) That the wives and families of officers of the Provincial Civil Service should be entitled to free medical attendance of the Civil Surgeon, who should be absolutely prohibited from taking any fees whatsoever from them.

(ii) Actual expenses of transfer of officers of the Provincial Civil Service should be borne by

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Government instead of ordinary travelling allowance being granted as at present. These expenses should include the cost of moving the officers' family, servants, household furniture, etc. The heavy expense at present borne by officers on transfer is the main cause of so many being heavily in debt.

(iii) All officers of the Provincial Civil Service should be entitled to first-class travelling allowance. If an officer of the Provincial Civil Service is, by virtue of his office, of sufficient status to entitle him to attend Darbars and be presented to His Excellency the Governor, his position is such as to entitle him to travel first-class. At present it not infrequently happens that an officer is compelled to travel in the same carriage with his ungazetted subordinates, which is objectionable and lowering to the dignity of his position.

(iv) The Provincial Civil Service is the premier Home Service of the country and, yet its members find no place in the Warrant of Precedence. A Deputy Magistrate of the higher grades is not inferior in status to a Presidency

Magistrate, many of whom are recruited from the Provincial Civil Service and draw less pay than Deputy Magistrates in the higher grades, yet the latter find no place in the Warrant of Precedence.

(v) It should be possible for Government now to know the number of officials required at each station, and they should see that sufficient house accommodation, at suitable rents, exists for their servants. It not infrequently happens that officers are posted to a station where no house accommodation is available, or, if available, is entirely beyond the officer's means to rent. In cases where Government bungalows are not available, I would recommend that Government should lease any available bungalow and sublet to the officer for whom it is required for the rent paid, subject to the maximum he would have to pay if it were a Government bungalow.

This brings me to the question of the present maximum rent chargeable, viz, 10 per cent, of the officer's pay. This maximum I consider to be far too high and it should be reduced.

MR. C. H. CROSSE called and examined.

13561. (Chairman.) You are Deputy Magistrate and Deputy Collector, Berhampore?—Yes.

13562. You are a member of the Provincial Civil Service?—Yes.

13563. For how many years have you occupied the position of Deputy Magistrate?—About six and a half years.

13564. What positions did you occupy previous to that?—I was Superintendent in the Foreign Office of the Government of India.

13565. In your answer to question (19) you say you are not altogether satisfied with the existing arrangements by which certain posts are listed for the Provincial Civil Service, and at the end of the paragraph you say, "I am satisfied that appointments to these posts should be made by selection." Are they not made by selection now?—I am satisfied with that portion of the system, but I am not satisfied with the exact arrangement, of listed posts.

13566. Then you go on to make certain proposals. Will you please explain them more clearly?—There are certain Joint Magistrates' posts now merged in the Provincial Civil Service. They should, I think, be restored to the cadre, of the Indian Civil Service and be reserved for members of the Provincial Civil Service. Also at least one post in each of the grades of Magistrate and Collector should be reserved for the Provincial Service.

13567. Is not that the case already?—No: the posts are listed as open to the Provincial Service, but are not reserved.

13568. You would like to have one post reserved in each of the grades?—I should reserve posts for the Provincial Civil Service. At present they are only listed as open to the Provincial Service. This works badly both for the Indian Civil Service and the Provincial Civil Service.

13569. If your proposals were carried out, how many listed posts would be required?—I

have not stated any definite number of listed posts. I simply state that the posts which are now listed as open to the Provincial Service should be more or less reserved. Whether more posts are required or not, I do not say; I have not gone into it.

13570. Then you say that the pay of the Provincial Service should be increased in order to attract suitable candidates. Do you suggest that the candidates who are now being admitted into the Provincial Civil Service are not altogether suitable?—I am not saying they are not all suitable. There are certainly many suitable men in the service. But the present pay is not likely to attract the same class of men in Bengal as the pay of the Provincial Service in other provinces attracts in those provinces, the pay being better in those provinces and the prospects in the professions in Bengal being better than in any other province.

13571. You suggest, in your answer to question (22), an all-round increase in rates of pay for the Provincial Service?—I would not suggest an all-round increase.

13572. What would you suggest?—I have suggested that a time-scale of pay should be instituted for the lower grades, and that would give regular promotion, so that officers would get a fair salary to live upon.

13573. Up to what grade would you have the time-scale?—Up to and including Rs. 500.

13574. What other proposals do you make with regard to better pay?—I think that is practically the only suggestion. I should certainly have put down that higher grades should be added too, but I have not had time to think over the matter. I think there might very well be added to the higher grades two grades of Rs. 900 and Rs. 1,000, respectively, particularly because you see that I have suggested that appointments as District Magistrates should be

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made only from those who have been through the mill, as it were, first as Joint Magistrates. If that is the case, then you must have something higher for those who do not get in as Joint Magistrates. The best way would be that they should be able to get Rs. 1,000.

13575. Then you make only general proposals. You do not specify anything?—Yes.

13576. In answer to question (30), you say, "officers of the Provincial Civil Service appointed to such posts should live in the same style and entertain in the same way as any member of the Indian Civil Service would do." Do you suggest that officers holding listed posts should enjoy the same status as if they were in the Indian Civil Service?—Exactly so.

13577. You regard the present position of the listed posts as anomalous, and would like to see them incorporated for all purposes in the ranks of the Indian Civil Service?—Yes.

13578. Then, with reference to your answer to question (41), what increase would you recommend in the maximum amount of pension?—I think that it might be put down at Rs. 6,000 instead of Rs. 5,000.

13579. Then, in answer to question (44), you suggest that officers might be allowed to retire voluntarily after 15 years' service?—Yes.

13580. What is your reason for making that proposal?—I think there may be various reasons and conditions which would lead an officer to wish to retire when he has done 15 years' service. Perhaps, it may be due to ill-health or dissatisfaction with the service, and if, for one reason or another, he wishes to retire, he must get a certain amount of pension after 15 years' service.

13581. And you say that this pension should be as many sixtieths of his average pay of the last three years as the officer has years' service?—Yes, so many sixtieths.

13582. Would not this encourage officers to resign who otherwise would not have resigned thereby increasing the non-effective charges of the State?—I do not think so. In the Provincial Civil Service scheme, as I have put it forward, after 15 years' service an officer would be drawing a pay of Rs. 500, and therefore he would draw only fifteen-sixtieths of Rs. 500 as pension.

13583. What does he get now after 15 years' service?—Nothing.

13584. What would the pension amount to under your scheme?—If he retires after 15 years' service, he would get one-fourth of Rs. 500 or Rs. 125 a month.

13585. What is the usual age of retirement in the Provincial Civil Service of an officer eligible for pension?—Fifty-five.

13586. In answer to question (45), you say that the Family Pension Fund is unsatisfactory at present; and you would like to see better provision made for the wife and the family of an officer?—Yes.

13587. Would you suggest that provision be made from a fund to which contributions had been made during his service by each officer?—Yes, distinctly; but in order to make that possible, the pay of the service must be increased. At present the members of the Provincial Service have just as much as they can do to make both ends meet without paying to any fund.

13588. You think that the officer's pay should be increased by that amount to enable him to do so?—Yes, practically so, or it should be subscribed for by the Government.

13589. You have not, I suppose, thought out what would be the cost of such a scheme? No. I have not actually worked any scheme out to be able to say as to what the cost would be.

13590. Your say in your answer to question (47), that you would like to see the maximum rent charge of 10 per cent. of the pay reduced. Does that weigh very heavily at present on all officers?—Yes, very heavily.

13591. What would you suggest as an alternative?—I should think that five per cent. would be nearer the suitable payment by an officer for a bungalow.

13592. Is his house rent a heavy charge on an officer?—Yes. Rents are very high, and it is very seldom that an officer can occupy a Government bungalow on less than 10 per cent. of his pay.

13593. (Lord Ronaldsday.) When you were appointed to the Provincial Service, did your appointment require the sanction of the Government of India?—Yes.

13594. Then your appointment was a special one?—It was a special appointment.

13595. Generally speaking, there is disability as regards an Englishman going into the Provincial Service?—Yes.

13596. No Englishman who is not a statutory Native of India can enter the Provincial Service; they have to satisfy certain conditions that they have resided in the province for a certain time, they are graduates, and so on, and then their appointment has to be specially sanctioned by the Government of India. Is that not so?—That is so.

13597. In your answer to question (19) you make certain suggestions, and your fifth suggestion is "that temporary vacancies caused by Magistrates and Collectors being placed on deputation or going on leave from districts where there are no Joint Magistrates should, as a general rule, be filled by senior officers of the Provincial Civil Service stationed in those districts." Would not that interfere with the promotion in the lower ranks of the Indian Civil Service?—I think not. It is only a question of vacancies caused by short leave.

13598. It is only a question of temporary appointment?—Yes; purely the case of an officer going on leave for a month or a month and a half, or six weeks' privilege leave, or something of the sort.

13599. Are not these officiating appointments considered to be served as a period of training for the younger members of the Indian Civil Service?—I do not know that.

13600. In any case you do not anticipate any difficulty on that ground?—I do not think so.

13601. In answer to question (32), you say that all the leave on full pay is not ordinarily taken by officers of the Provincial Civil Service because they cannot afford to take it?—Yes.

13602. But a little later, you suggest that the amount of privilege leave to which they are entitled should be increased. If they cannot afford to take the amount of privilege leave to which they are entitled, what would be the use of

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telling them that they might take more leave?—I have combined that with another question.

13603. It is partly combined with my answer to question (34).

13604. I see that your suggestion is that one year of furlough should be granted on full pay?—Yes.

13605. You think that it will entail very considerable additional cost to the State?—I think the State will gain by it in the long run, by the better health of its officers.

13606. There is one other question that I would like to ask you about, and that is in regard to the Family Pension Fund. You are not satisfied with the provision which is made by the Government General Provident Fund. You think that there ought to be some Family Pension Fund for the members of the Provincial Service?—Yes.

13607. But no member of the Provincial Civil Service who desires to subscribe to some Family Pension Fund will find difficulty in doing so; I mean to say there are Family Pension Funds to which any member of the Provincial Service can subscribe when he desires to do so?—Not Government funds.

13608. Not, strictly speaking, Government funds perhaps, but funds which are to a certain extent controlled by Government. Is not the Bengal Christian Family Pension Fund to a certain extent assisted by Government?—I am not sure if it is assisted. I was thinking at the time of the Uncoovenanted Service Family Pension Fund, with regard to the management of which there was a great deal of discontent. Some years ago there was a good deal of bad management in connection with it. It is not under the management of the Government.

13609. I am referring to the Bengal Christian Family Pension Fund. I understand that it is assisted by the Government. Do you know that fund?—I do not know that fund.

13610. You have never heard of it?—No.

13611. (Sir Theodore Morison.) With regard to your answer to question (45) about the General Provident Fund, I see that another officer of your service has suggested that $6\frac{1}{2}$ per cent. of the pay should be compulsorily deducted and the Government should contribute 5 per cent. of the pay. Would that meet your wishes?—I do not think that anything other than a Family Pension Fund would meet the case at all.

13612. There are objections to the Provident Fund?—The Provident Fund is merely a fund for saving money. An officer might have contributed to the Provident Fund, say for two years, his contribution might possibly amount to a couple of hundreds, and if he should die that Rs. 200 would not be a provision for his family.

13613. And you want therefore?—A fund in the shape of insurance or in the form of a family pension fund.

13614. If provision is to be made for family, it would be very much more costly?—A little more costly, yes; but not so very much.

13615. Then, with regard to your answer to question (47), your first suggestion is that the wives and families of officers of the Provincial Civil Service should be entitled to free medical attendance?—Yes.

13616. That is an exceptional provision that you ask for, is it not?—I think in all non-Government services, in all commercial services, the wives of officers are treated free by the company.

13617. It is so on the railways?—I think it is so.

13618. But not so in any Government service?—It is not so in any Government service.

13619. It is not so in the Government service in any other grade, civilian or military?—No. A civilian officer has to pay for medical attendance on his wife and children.

13620. You base that on the hardness of the struggle of the Provincial Service officer?—Yes. At present it amounts to his having to pay two per cent. of his salary to the Civil Surgeon for medical attendance upon his family, and it reduces his pay by two per cent.

13621. Civil Surgeons work on that basis?—They invariably accept a contract on that basis.

13622. I do not quite understand what you say in subdivision (v) in answer to question (47) about Government bungalows. Your complaint, first of all, is that the rents are too high, is it not?—First of all, there is an insufficiency of bungalows.

13623. Everywhere?—Not everywhere, but in very many stations.

13624. You say there are no suitable houses?—In some cases it happens there are no houses, but in other cases, there may be one or two vacant houses, the rent of which would be beyond the means of the officer who requires to rent it.

13625. But where houses are provided, the Government recognise their obligation to provide houses?—I think not.

13626. I am only asking for information?—It does not.

13627. It does not for the Provincial Civil Service officer?—No.

13628. Then I understood you to say that you would reduce the rent payable by an officer of the Provincial Civil Service, at least you would limit it to 5 per cent. of his salary; and you think that 10 per cent. is too high?—I think 10 per cent. is too high both for a Provincial civilian and also for an Indian Civilian.

13629. Ten per cent. is less than the market rate of the house, is it not? An officer is never expected to pay more than the market rate of the house, because he has to pay 10 per cent. of the salary. A Commissioner drawing a pay of Rs. 3,000 would not be expected to pay more than the market rate?—In certain cases, private bungalows can be rented at lower rates than Government bungalows. I have known such cases. If the Government were to fix it at five per cent., generally speaking, it would be below the market value.

13630. Is 10 per cent. above the market value?—In some cases.

13631. Even when it is above the market value is a man expected to pay the full 10 per cent.?—The percentage is worked out on the cost of the building. The building being erected by the Public Works Department and repaired by them, the cost of the building is more than it would otherwise be, and therefore the 10 per cent. of the cost works out to be higher than the market rate.

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13632. So, you mean to say that the value of the house is more than what it would be in the open market. It is more than the market rate the Government would let it for?—In certain cases it is so.

13633. (*Mr. Sly.*) There are two or three points that I wish to take your opinion on. In your answer to question (19) your suggestion is that one post in each of the grades of Magistrates and Collectors should be reserved for members of the Provincial Civil Service. How many grades of Magistrates and Collectors are there?—Three.

13634. How many posts are at present reserved for the Provincial Civil Service?—None.

13635. How many listed posts are there?—I have not ascertained the number of listed posts.

13636. As a matter of fact there are four listed posts already thrown open to the Provincial Civil Service?—Yes.

13637. So, if that proposal of yours were carried into effect, it would be damaging the Provincial Service?—I do not say that only three should be reserved. I am not limiting the number. I say that one in each grade should be reserved.

13638. There being three grades, one in each makes three?—I do not say that it should be limited to that number. There may be two in each grade. What I say is that there should at least be one in each grade.

13639. Take your points (iii) and (iv). What they amount to, in substance, is that you want some improvement in grading?—The question is simply one of numbers in the grades.

13640. Two posts in the fifth grade are to be raised to the fourth grade, and two posts in the sixth grade to be raised to the fifth?—That is merely an improvement in the grading.

13641. In regard to question (29), you want to enforce compulsory retirement at the age of 55, I understand?—Yes.

13642. That is, you wish that rule to be strictly adhered to—compulsory retirement at 55?—Except in the case of those officers holding listed appointments.

13643. That is, whether an officer is efficient or inefficient you wish him turned out at that age?—Yes.

13644. The reason for that?—One of the main reasons is that there is a tremendous block in the promotion of other officers.

13645. Simply to accelerate promotion Government should compulsorily retire an efficient officer?—And also I have recommended the time-scale of pay up to the Rs. 500 grade in order to prevent the enormous block in this Rs. 500 grade. An officer should be retired at 55.

13646. In answer to question (32), you have suggested that leave on full pay is not taken because officers cannot afford it. Why cannot they afford to take it on full pay?—The leave runs from one to three months and the cost of moving the family takes away the three months' pay.

13647. You suggested that pension should be raised from Rs. 5,000 to Rs. 6,000 maximum?—Yes.

13648. Excepting special appointments such as heads of departments and the like, I believe

that Rs. 5,000 is the maximum pension in any Service outside the Indian Civil Service?—I think so.

13649. So that your demand would lead to a very heavy increase of expenditure in all services?—Possibly so.

13650. Then you suggest that the age of retirement for voluntary retirement should be lowered to fifteen years?—Yes.

13651. Is it not the case already that on a medical certificate you can retire?—That is after 25 years.

13652. On medical certificate at any time?—With pension?

13653. With pension?—I think pension is granted not as a matter of right but as a matter of grace.

13654. We need not go into the actual rule. Would you like an officer to be allowed voluntarily to retire, although he is in thorough health and suited to the Government service?—Yes. I have put in one place that inefficient officers should be compulsorily retired. If it is possible to retire an inefficient officer it should also be possible for an efficient officer to retire.

13655. In clause (ii) of your answer to question (47) you say that the actual expenses of transfer ought to be reimbursed to the officer?—Yes.

13656. Under that actual expenditure would you include the expenses of moving his family?—Yes.

13657. Is it not a case of altering the Civil Service Regulations? The Government have never exercised any responsibility with regard to the wife and family of an officer at any time?—No. Ministerial officers are given travelling allowances for their wives and families and also for a certain weight of luggage.

13658. The responsibility in regard to the family and the wife of a gazetted officer has never been recognised?—No; I believe not. But if an officer is moved for the benefit of the Government his expenses should be paid.

13659. His expenses are paid, but not the expenses of his wife and family?—That is so.

13660. Then you suggest that Provincial Civil Service officers should be included under the Warrant of Precedence?—Certain of them.

13661. Is it not the case that the limit fixed under the existing Warrant of Precedence is practically a money limit of Rs. 800 a month for all officers in India?—No.

13662. If you look at the Warrant of Precedence so far as there is a guiding principle, the guiding principle is that nobody under Rs. 800 a month shall come on to it?—I am not certain of that. I know that certain officers are in the Warrant of Precedence who are not drawing a salary of Rs. 800 a month.

13663. I know there are exceptions. But you want the officers of the Provincial Civil Service put on the Warrant of Precedence irrespective of their pay and irrespective of what is done in regard to other circumstances, simply on the ground of their being members of the Provincial Civil Service?—I think that the higher grade officers should come under the Warrant of Precedence. Everything should be done to improve the status and the dignity of the officers.

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13664. Would you limit it to certain grades?—I would limit it to the higher grades.

13665. Let us clear up the question of house accommodation. Except in Presidency towns, I believe the Government has been recognised any direct obligation to provide house accommodation for its officers?—That is quite possible. It is impossible for me to say whether it is so or not.

13666. In some exceptional cases where great difficulty has been experienced, the Government has provided a certain number of quarters?—Yes.

13667. The rent for these quarters is, I believe, fixed at an amount to cover reasonable interest on the actual capital cost and repair charges?—Yes.

13668. But that rent is subject to a maximum of ten per cent. of the officer's pay?—Yes.

13669. So that, when you complain that an officer is forced to pay ten per cent. of his pay, he is really getting more accommodation than that 10 per cent. would justify him in getting according to the capital cost?—That is possible.

13670. If you wish that maximum of ten per cent. to be reduced, would you be content to have the amount of accommodation reduced in the corresponding scale?—No.

13671. Then, what your recommendation comes to is that the Government should provide house accommodation for its officers at a loss?—Yes, if necessary.

13672. Which means, practically, an increase of salary, does it not?—One way or the other it is the same.

13673. (Mr. Macdonald.) With reference to this rent, have you ever enquired as to what is the ratio between the income and rent in other places?—I have not. It is extremely high in certain cases.

13674. Do you know any country in the world where the rent only amounts to 10 per cent.?—I know that the rent in England is much cheaper than in some cases in India.

13675. That is not my point. Do you know any country in the world, whether in England or elsewhere, where the rent is less than 10 per cent. of the income?—I cannot say. I have not tried to ascertain the rates.

13676. Do you know in England the case of a man with £200 a year, having a house with a rent of £20 a year including everything; is that common?—No, I daresay it is not. I do not want to wander from the point. I do not say that in all cases 10 per cent. is hard. If you take an officer drawing Rs. 250 he has to pay Rs. 25 for the house. But in many cases there is no bungalow, and he will probably have to pay Rs 50 or 60.

13677. But never more than 10 per cent.?—If it is a Government bungalow, not more than 10 per cent.

13678. You object to the 10 per cent.?—I object to a fixed rent of 10 per cent.

13679. With reference to the family pension in your answer to question (45), I am not sure if I understand your proposal; supposing a man left a wife and two children, is it your proposal that the Government should simply take hold of his family and pay pensions to each of them?—I presume they would work out a

scheme under which a contribution would be paid. It is a matter of insurance.

13680. But may I draw your attention to what you say in the last sentence of your answer: "I would recommend that the pay of all appointments should be so fixed as to admit of granting without contribution from the officers themselves suitable pensions to the wives and children of deceased officials."—That means to say that in that case they would be able to lower the present pay of the appointment? Provided there was pension to the family; either they may so fix the pay that it carries with it a pension for the family, or raise the pay so that they may contribute towards pension.

13681. Is it your proposal then that every child born to an officer should mean a reduction of his pay; if the Government is going to reduce the pay in order that it may give pensions to the officer's wife and family without contribution from the officer, then is it your proposal that for every new child born the pay should be reduced by the Government?—No, the whole service pay will be worked out on some principle.

13682. So that a man leaving a wife and six children will be a greater charge upon the funds of the pension than a man who has left a wife and three children?—Yes.

13683. A man who left a wife and three children pays for the wife and children of a man who has left six children?—To a certain extent; there are profits to be made in everything; it is a matter of insurance.

13684. If each child is insured I can understand it, but if your proposal is that each child shall not be insured, but that a whole lump may be put in so that you should have a flat rate adopted for each officer, I put it to you, does not that mean that a man with a small family has to pay for a man with a large family?—I do not quite follow you; I have not worked out any scheme, but if a scheme were worked out, you can get statistics of the amount required in a very few years—the amount that would be required for the pension of the families. It will be perfectly possible to work out a system of pay for the whole Service which would admit of the Government giving these pensions, instead of individuals actually subscribing to the pensions.

13685. I am afraid that you do not see the point. One can insure an individual and every member of the family, or one can insure families on the average, and as a whole. As I understand your scheme, you want the Government to insure the family as a whole, and not that the officers should insure the individual members of the family?—That is so.

13686. Then I leave it there. I understand you make a series of proposals which you consider to be essential in order to raise the status of the Provincial Service in your answers?—Yes, generally.

13687. May I just run through them with you to see what your proposals are, so that I might be clear in my own mind about them? You want more posts?—That is necessary.

13688. You want more pay?—Yes.

13689. You want officiating promotions which means more pay again?—Temporary promotions.

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[continued.]

13690. You want more holidays?—Slightly more.

13691. You want slightly higher allowances during holidays in order to enable you to take advantage of the holidays?—Yes.

13692. You want increased pensions?—I do not say 'increased pensions.'

13693. You want to raise the maximum limit?—Yes.

13694. You want to give opportunity to a man to draw his pension before he is entitled to get it under the present conditions?—Yes.

13695. By allowing him, while in full strength of mind and body, to retire after he has put in 15 years' service?—Yes.

13696. You want pensions for his wife and children without contribution?—Yes.

13697. You want free medical attendance for your wife and children?—Yes.

13698. You want more adequate travelling allowance, raising it to the scale of first-class?—Yes.

13699. You want lower rents at Government expense?—That is hardly the actual wording of it.

13700. I do not object, put it in any way you like: you want to see that the house rent is not an economic rent?—In the first place, I want that houses should be provided; the Government should see that there are houses provided in stations where officers are sent to.

13701. You want more houses?—We want sufficient accommodation provided.

13702. And that accommodation ought to be provided to you by the Government without consideration as to what the economic rent of the house is?—I think it should be.

13703. If the economic rent of a house should be Rs. 20 a month, and if Rs. 20 is more than five per cent. of your salary, then you will get it at Rs. 10 or Rs. 5, whatever the figure may be?—Yes.

13704. (*Mr. Madge.*) There are two or three different rules under which men get into the Provincial Service; would you mind telling us which of the rules you got in under?—By nomination by the Government of India.

13705. Have you passed all your examinations?—Yes.

13706. In answer to question (19), you say that you want certain posts to be reserved for the Provincial Service. Do you want the minimum number of Civilian posts to be lowered or to remain as it is, and these extra ones to be reserved?—I have made a slight distinction between 'reserved' and 'listed.' Certain posts are listed as being open to the members of the Provincial Civil Service. I have made a distinction between the two. I say that three of these posts, if you like, or such posts as are open to the Provincial Civil Service, should be reserved.

13707. Which means that if, in any year, they are not granted to Provincial men?—It would not interfere with the cadre in the service in any way. Assuming that there are nine posts for the Indian Civil Service in grade No. 1, there must be ten posts in that grade, one of which will be reserved for the Provincial Civil Service.

13708. But it may so happen in any year, that all the listed posts may not be filled up by the members of the Provincial Civil Service, in

which case they will not be held by the members of the Indian Civil Service, if you actually reserve them for the Provincial Service cadre?—I presume that they will be held vacant.

13709. Would not be filled by anybody?—No.

13710. Do you object to the title of 'Provincial Service' as creating a distinction?—I do not see any objection to it; my whole idea in the answers to these questions which I have given is to raise the status of the Provincial Service and to give it more dignity. At present, it is being run down so much in many ways. I do not think there is sufficient dignity attached to the officers of the Provincial Service, but I think everything that tends to raise the dignity of the Provincial Civil Service officer should be advocated. I think that, in this case, the term giving the name of the province such as the Bengal Civil Service the Bombay Civil Service, the Madras Civil Service is a better title for it than the 'Provincial Civil Service.'

13711. That would involve the abolition of the word 'Provincial'?—It would involve the abolition of the word 'Provincial,' but that word is implied in the new title that is given.

13712. In answer to question (22) you draw a distinction between the average pay in the three Presidencies. Would you have them fixed in disregard of the cost of living in these places; on what principle do you draw the comparison?—If you notice the question to which it is an answer, it states that there is a certain scheme put forward stating that the pay of the officers in the Provincial Civil Service should be so fixed as to attract locally men of a certain status. In the case of Bengal that principle has certainly not been followed. The pay is lower in Bengal than it is in any other province—I mean the average pay.

13713. What I wanted to get from you was your idea as to the principle on which the pay should be fixed. Is it with or without reference to the cost of living in any particular place?—My argument is that the present rate of pay cannot attract men to the Bengal Provincial Service, men of such qualifications as the pay in other provinces will attract in those provinces.

13714. You are aware of the Unconvenanted Family Pension Fund as it exists. Do you want that the Government should take over its responsibilities?—I do not mind whether they take it over, or establish a fresh fund. I do think that they should have a family pension fund in the same way as the Indian Civil Service has a pension fund.

13715. You have already given us your opinion that it ought to be non-contributory?—I am willing to have it contributory, provided the pay is sufficiently raised. But if the pay is left as it is, it should be non-contributory.

13716. (*Mr. Abdur Rahim.*) How many gentlemen are there in the Provincial Service who have been specially appointed like you?—I do not know that at all.

13717. Do you know if there is any rule as regards these appointments requiring any minimum qualification?—I do not think that is any minimum qualification.

13718. (*Sir Valentine Chirol.*) I would like you to go back to the question of house rent. Your complaint, as I understand it, is that

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[concluded.]

the Government employed for the construction of their bungalows an agency which is—for reasons into which we need not now enter—extraordinarily expensive, and that officials are made to pay from his point of view the unnecessarily heavy charges incurred in the building of these bungalows?—I do not think it is so in all cases, because in some cases the ten per cent., although heavy on an officer, is not a heavy charge for the rent of the bungalow.

13719. Bungalows, as a rule, built by the Public Works Department, are built at a higher rate than they would be built by any other agency?—That is so.

13720. And your rents are fixed on a calculation of the cost of building the bungalows by the Public Works Department?—Subject to the maximum of 10 per cent.

13721. Except where the rent is in excess of the maximum of 10 per cent., you are made to pay for the cost of the building by the Public Works Department as compared with the cost of the building by other agencies?—That is so.

13722. (Sir Murray Hammick.) I would only ask you this: were you born in this country?—No.

13723. You came from England?—Yes, I was born and educated in England.

13724. Have you taken any degree anywhere?—No.

13725. (Mr. Bompas.) Your appointment was a special one. It is a fact, is it not, that the statutory Natives of India of European descent are regularly recruited by the Government to the Provincial Service?—They are.

13726. Certain members of them are of European descent?—They are born and educated in India.

13727. I say of European descent; they are not of Indian descent, recruited normally for the Provincial Civil Service?—I do not quite follow you.

13728. The local Government regularly appoints to the Provincial Service a certain number of men who are not of pure Indian blood?—That is so. Anglo-Indians or Eurasians, is that what you mean?

13729. Yes?—But these are not statutory Natives of India. I do not think they come under the classification statutory Natives of India. I am not certain on that point.

13730. As regards European and Anglo-Indian Deputy Magistrates, are they generally employed in certain stations or in certain duties for which they are considered to be specially suitable?—I do not think I have come across any such cases.

13731. As regards travelling allowance on transfer, is it a fact that an officer on transfer from one part of the province draws allowance calculated on the same scale as that which he draws if he rides out for fifteen miles from headquarters and then returns to the headquarters for dinner?—Exactly.

13732. (Mr. Mukherji.) Did you come into service of your own choice?—I am not quite sure what you mean.

13733. Did you seek to enter into the service?—No; but I was pleased to get into it.

13734. Did you apply?—I did not.

13735. With regard to the working of the 55 years' rule, you want to make an exception in favour of men holding listed appointments?—Yes.

13736. Why?—Because, if you follow my scheme, you will find that the time-scale is to be applied up to the Rs. 500 grade where the average man will stick, and these men are not required after 55 years' service, but men at the head are those who are worth keeping in the service.

13737. You do not think that they would cause a serious block in the promotion to listed appointments, block the men who are behind them from coming up?—I do not think there will be any serious block.

13738. You want to reserve a post in each grade of Magistrates and Collectors for the members of the Provincial Civil Service?—Yes.

13739. That is, you would have a first-class Magistrate and Collector reserved for the Provincial Civil Service?—Yes.

13740. Suppose one did not work up to that grade?—That might be left vacant.

13741. (Mr. Sen.) Your answers are confined, I see, only to the executive department?—Yes.

13742. You do not give much information as to the Provincial Judicial Service?—No.

13743. You say the average pay of Deputy Magistrates is Rs. 376?—Yes.

13744. Do you know that the average pay of a Provincial Judicial officer is less than that of a Deputy Magistrate?—I do not know.

13745. Do you know the expression Munsif?—Yes.

13746. Since when did you understand it? Is that after you became Deputy Magistrate, or before?—I think before.

(The witness withdrew.)

[Adjourned for a short time.]

A. P. PETERS, Esq., Sub-divisional Officer, Gaibandha, Rangpur District.

Written answers relating to the Indian Civil Service.

13747. (1) What is your experience of the working of the present system of recruitment by open competitive examination for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—It is satisfactory in principle. I think it will be better if a simultaneous competitive examination be held in India for the recruitment of officers, as some desirable

candidates cannot try for a appointment for want of means.

13748. (2) In what respects, if any, do you find the present system faulty in detail, and what alterations would you suggest?—Nil.

13749. (3) Is the system equally suitable for the admission of "Natives of India" and of other natural-born subjects of His Majesty? If not, what alteration do you recommend?—Yes.

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13750. (4) Further, is any differentiation desirable between other classes of natural-born subjects of His Majesty? If so, what do you propose?—Natural-born subjects of His Majesty belonging to Colonies which do not tolerate “Asiatics” should not, as a rule, be permitted to enter the Indian Civil Service—such as Australian and South African Colonies.

13751. (7) What is your opinion regarding a system of simultaneous examination in India and in England, open in both cases to all natural-born subjects of His Majesty?—Simultaneous examination in India and in England to the competitive examination only would be exceedingly desirable.

13752. (8) Are you in favour of holding this examination simultaneously at any other centre or centres within His Majesty’s dominions?—No.

13753. (9) What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service cadre by “Natives of India” recruited by means of a separate examinations in India or by means of separate examination in each province or group of provinces in India? If so, what proportion do you recommend?—Not desirable.

13754. (11) If you are in favour of a system for the part recruitment of the Indian Civil Service by “Natives of India” in India, do you consider that “Natives of India” should still be eligible for appointment in England, or would you restrict that right to other natural-born subjects of His Majesty?—Yes; they should still be eligible for appointment in England.

13755. (18) What is the most suitable age at which junior civilians should arrive in India? Twenty-four years.

13756. (19) What age-limits for the open competitive examination in England would best suit candidates who are “Natives of India,” and for what reasons? Do you recommend any differentiation between the age-limits for “Natives of India” and for other natural-born subjects of His Majesty?—At 22 years. At 21 a youth would complete his University examination in India and proceed to England for the competitive examination. This would allow him three years for preparing for the Indian Civil Service.

13757. (20) On what principle should the subjects for the open competitive examination be fixed? Do you accept the principle laid down by Lord Macaulay’s Committee in 1854, and since followed, that “the examination should be of such a nature that no candidate who may fail shall, to whatever calling he may devote himself, have any reason to regret the time and labour which he had spent in preparing himself to be examined,” and that the object should be to secure, not specialists in any particular subject that may be useful in a subsequent Indian career, but the ordinary well-educated young man of the period?—Yes.

13758. (22) Is any differentiation in the subjects for the examination desirable between candidates who are “Natives of India” and other candidates? If so, please state them and give reasons?—No.

13759. (27) Have the “Natives of India,” recruited by means of open competition in

England, proved on the average, as efficient as the European members of the Indian Civil Service of the same standing and recruited in the same manner? Has it been found possible and expedient to employ them in all branches of the administration, whether on executive or judicial duties?—Yes, so far as I know.

13760. (28) Do you consider that the old system of appointment of “Statutory Civilians” under the Statute of 1870 should be revived and, if so, what method of recruitment would you recommend?—Recruitments from the members of the Provincial Civil Service of proved merit and ability.

13761. (39) Have the officers of the Provincial Civil Service, selected to fill listed posts, proved, on the average, as efficient as members of the Indian Civil Service filling posts of similar responsibility, and has it been found possible and expedient to employ them in all branches of the administration?—Yes, I think.

13762. (45) Do you consider it desirable that probationers should be required to spend their period of probation in England at an approved University?—Yes.

13763. (46) If so, do you advise the selection of one or more Universities for this purpose and for what reasons?—Preferably Oxford and Cambridge Universities.

13764. (47) Do you consider that probationers should receive allowances during their period of probation? If so, please give the scale and conditions that you recommend?—Yes, they should receive an allowance.

13765. (49) Would it, in your opinion, be desirable to establish a separate institution in England for this purpose; and, if so, under what conditions?—A separate institution would be desirable.

13766. (54) What is your opinion of a proposal to start at some suitable place in India a college for the training of probationers of the Indian Civil Service, and possibly of other Indian services recruited in England?—I think this is desirable.

13767. (64) Please give your views as to what steps (if any) are necessary to improve the proficiency in the knowledge of law of members of the Indian Civil Service, distinguishing between recommendations applicable to all officers and to officers selected for the Judicial branch. In particular, do you favour a system of granting study-leave to Europe and, if so, what course of study (course for a call to the bar, reading in barristers’ chambers or other), and what conditions do you propose?—Yes, study-leave to Europe should be granted.

13768. (65) Do you recommend any special course of study in law in India for officers selected for the Judicial branch?—Yes, Civil Procedure Code.

13769. (69) If you have recommended the introduction of any scheme of direct recruitment in India for “Natives of India,” whether in lieu of, or supplementary to, the system of recruitment in England, please state what system of training you recommend for such officers?—When practicable, at least a year to be spent in England as probationer.

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Written answers relating to the Provincial Civil Service.

13770. (2) Please supply a copy of the Rules for the Recruitment of the Provincial Civil Service in force in your province. Are these rules suitable, or have you any recommendations to make for their alteration?—Recommendations. In my opinion the members of the Provincial Civil Service (Executive branch) should be recruited as follows:—(i) One-third of the appointments should be thrown open to a competitive examination; (ii) one-third should be recruited by nomination from outsiders according to the present system; (iii) one-third from deserving officers who are already in Government service, i.e., from Subordinate Executive Service, Registration Department, Settlement Department, etc.

13771. (3) Please see the statement showing the constitution of the Provincial Civil Service, reproduced as Appendix B to these questions, and state whether the information is correct for your province. If not, what alterations are required?—It appears that the information is correct, but at present there are over 100 members in the seventh grade. I recommend the following alterations:—(i) The number of appointments in each grade should be equal. This would give a member a fair chance of rising to the maximum. Under the present system, the vast majority of the members have to retire on Rs. 500. The number of members in the first three grades is absolutely inadequate for such a big service and it gives no fair chance for competent men to rise even to the second grade. (ii) The maximum should be raised to Rs. 1,200 constituting nine grades. (iii) There should be a time-scale up to Rs. 800 in 12 years, including probationary period of one year. (iv) Promotions to higher grades than Rs. 800 should be by merit. Reasons:—(1) Cost of living has trebled during the last 15 years and the present pay of officers is absolutely inadequate for their position. It is impossible to make suitable provisions for families and give proper education to children. At present the rate of promotions is, roughly speaking, about six or seven years on Rs. 250, seven or eight years on Rs. 300, ten years on Rs. 400, and the rest on Rs. 500. The best years of one's life are thus spent on Rs. 250 and Rs. 300. (2) The enrolled service in the Finance Department, Opium Department, Forest Provincial Service and Post Offices have all got a time-scale. None of these departments is superior in point of importance of work done to the Provincial Civil Service (Executive branch).

13772. (4) Please state the different systems of recruitment that have been adopted for the Provincial Civil Service, the periods for which they were in force and the number of officers recruited year by year in your province under each system since its formation?—Existing system of recruitment:—(i) Nomination by University amounting to competitive examination system; (ii) nomination by Divisional Commissioners; (iii) nomination by Government; (iv) nomination by the Board of Revenue.

13773. (6) What is your experience of the officers selected by the different methods of recruitment, which method has proved the most

satisfactory; and what changes, if any, in the present system of recruitment do you recommend? For direct recruitment do you recommend (a) open competition, (b) nomination, (c) combined nomination and examination, or (d) some other method? Please describe fully the system that you recommend.—*Vide* answers to question (2).

13774. (7) To what extent are non-residents of the province employed in your Provincial Civil Service? Do you consider that only residents of the province should ordinarily be recruited?—Non-residents should not ordinarily be recruited, but there should be no distinction of race, e.g., any Bihari settled in Bengal must be considered to be a resident of Bengal and *vice versa*.

13775. (8) Are all classes and communities duly represented in your Provincial Civil Service? Do you consider that this is desirable, and what arrangements do you recommend to secure this object?—It is desirable to represent the different communities, but in all cases 'efficiency' should have the first consideration. At the time of selecting members for this service from outsiders and from other services special care ought to be taken to see that the different communities are well represented.

13776. (9) What is the system of training and probation adopted for officers of the Provincial Civil Service? Do you consider it satisfactory; and, if not, what alterations do you recommend?—(i) The present system of training the probationers does not seem to be quite satisfactory. I think the probationers ought to be placed under an experienced officer selected by Government for a period of about six months or more. This officer will be required to train them up in all the different departments (both Revenue and Criminal) and give them first-hand knowledge. (ii) If there be any examination, it should be of a practical nature.

13777. (10) Is the existing system of departmental examinations suitable; and, if not, what changes do you recommend?—I do not consider the existing system of departmental examinations suitable. I think it will be far more satisfactory if the probationers are placed under an experienced officer for at least six months in order to be trained in all the different departments, and then before sending them out for independent work, they may be required to go through a test examination of a practical nature. This sort of training is given to probationers when they are trained for the survey and settlement work.

13778. (11) Do you consider that any change should be made in the classes of offices and appointments at present included in your Provincial Civil Service?—In addition to the listed appointments, the posts of Assistant Sessions Judges and Sessions Judges should be filled from the members of the Provincial Civil Service (Executive branch), as it is the Deputy Magistrates (and not the Munsifs or Sub-Judges) who gain considerable experience of criminal works from the commencement of their service. The number of listed appointments should be increased. At least six District Magistrates and Collectors should be appointed from the Provincial Executive Service in

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addition to the present listed appointments, and their pay should not be less than four-fifths of the pay of the post if held by a member of the Indian Civil Service.

13779. (12) What is the system on which the strength of the ^{Executive}_{Judicial} branch of your Provincial Civil Service is fixed? Do you consider it satisfactory; and, if not, what alterations do you recommend?—I do not know the system, but officers are as a rule overworked, especially those who do criminal work. This is the case specially in subdivisions. I think this may be remedied by increasing the number of officers, say, about 50, and by a more careful distribution of officers, according to the peculiar needs of the different districts and subdivisions. In subdivisions, there ought to be at least one first-class Magistrate in addition to the Subdivisional Officer, in order that the Subdivisional Officer may pay proper attention towards the administration of his subdivision and his tour work.

13780. (13) In particular, is the leave reserve adequate, and the system on which it is graded suitable?—Practically there is no leave reserve in the Provincial Civil Service, and officers as a rule find it extremely difficult to get privilege leave. Officers seldom get leave without the submission of medical certificate. In my opinion privilege leave ought not to lapse when an officer applied for it but could not get it for the exigencies of the service. In such cases the officer should be entitled to get all the accumulated leave when he can be spared and when he requires it on the next occasion.

13781. (14) Is there any reserve for officers under training, and is it adequate?—The answer is in the negative.

13782. (15) What is the annual rate of recruitment, and how is it fixed? Has it worked well in practice, and does it secure an even flow of promotion?—I do not know what is the annual rate of recruitment and the method in which it is fixed, but the flow of promotion is by no means even, e.g., there are officers now in the fifth grade who got their promotions to that grade in eight years, whereas as it shows at present an officer will have to wait about seven years before he can get to Rs. 300. In the Rs. 300 grade it would take an officer about eight years before he can expect Rs. 400. These facts have only to be mentioned to indicate the feeling of hopelessness. This can only be remedied by increasing the number of appointments in the higher grades in the manner indicated above [vide answer to question (2)].

13783. (16) To what extent is any system of selection for appointments to the higher grades enforced? Is any change of practice required in this respect?—I do not know under what system selection for appointments to the higher grades are made, but to my mind so long as the number of appointments in the higher grades remains 5, 7 and 16, there cannot be any selection for promotion. There are many competent men who cannot be promoted simply for want of room.

13784. (17) Are you satisfied that, under the existing system of promotion, the interests of individual officers and of the administration

are duly reconciled, and have you any suggestions to make regarding it, particularly on the subjects of selection for higher appointments and of the compulsory retirement of inefficient officers?—If the number of appointments in the higher grades be increased, the interest of individual officers and of the administration will be reconciled.

13785. (19) Are you satisfied with the existing arrangements by which certain posts, ordinarily filled by members of the Indian Civil Service, are listed as open to officers of the Provincial Civil Service of proved merit and ability, and is the system followed in making appointments to these posts suitable? If not, what alterations do you suggest?—The promised appointments are not usually given. They should be given to officers of approved merit.

13786. (21) Are you satisfied with the present designation "the Provincial Civil Service"?—Yes.

13787. (22) Do you accept as suitable the principle recommended by the Public Service Commission of 1886-87, and since followed, that the conditions of the Provincial Civil Services, as regards salary, should be adjusted by a consideration of the terms necessary to secure locally to desired qualifications in the officers appointed? If not, what principle do you recommend?—

(i) The only principle on which the salary should be adjusted should be in accordance with the importance of the service. It is a well-known fact that the work done by the members of the Provincial Civil Service is identical in its nature to that of the work done by the District Magistrates, Joint Magistrates and Assistant Magistrates and, in my opinion, the pay and prospects of the two services should bear some reasonable proportion to each other. It may be confidently asserted that many members of the Provincial Civil Service will hold posts of District Magistrates and other listed appointments with credit. (ii) The salary should compare favourably with the salaries in other services. The enrolled service has a time-scale from Rs. 300 to Rs. 1,250 in 18 years, and the members even rise to Rs. 1,800 by special merit. I beg to refer also to the Provincial Forest Service, Opium Department, Provincial Public Works Department and Superintendents of Post Offices. None of the services is in any way superior, in respect of the important and responsible nature of the work done to the State, to the Provincial Civil Service, but it so happens that the prospects of those services are better than those of the Provincial Executive Service.

13788. (23) Please give full information regarding the rates of pay and the number of posts in each of the main grades of the Provincial Civil Service authorised on the 1st April of each of the following years:—1890, 1900 and 1912. When was the last general reorganisation effected, and what improvement of prospects was effected thereby?—I think it was in 1906 that the cadre was increased and a large number of appointments was made, mostly in the lower grades. As it appears now, the prospects of promotion are worse than before, and this has given rise to discontent.

13789. (24) Are the existing rates of pay and grading in the Provincial Civil Service of

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your province adequate to secure the desired qualifications in the officers appointed? If not, what alterations do you recommend?—The existing rates of pay are considered as adequate to secure the desired qualifications in the officers owing to the absolute lack of openings for educated young men of India. But I may mention that the exceedingly low rate of promotion cannot but have a disheartening effect and must in the long run influence the efficiency. This may be remedied by opening out the way for all officers, unless specially inefficient, to go up to at least Rs 800.

13790. (25) Are you satisfied with the present system under which officiating promotions are not made in the Provincial Civil Service? If not, what alteration do you recommend?—Under the present system there is no officiating promotion in the Provincial Civil Service. There appears to be no reason why members of the Provincial Civil Service should not get officiating promotions. The system should be introduced as in the Indian Civil Service.

13791. (26) What is your opinion regarding the substitution of a time-scale of salary for the existing graded system of promotion? If you are in favour of a time-scale, should it be restricted to the lower grades of the service, or not? *Vide* answer to question (3).

12792. (27) As an alternative, do you recommend a system by which each main class of appointments would have a separate time-scale?—No; there should be one list till the officers reach Rs. 800; then the promotions are to be by selection. Please also refer to answers to question (3).

13793. (28) What is your experience of the practical working of time-scales of pay in other Indian services?—In all the various services mentioned above, the time-scales of pay have worked very well.

13794. (29) If you recommend any kind of time-scale of pay, please describe the scheme that you propose and state what conditions should be laid down in regard to the grant of increments, promotion to superior grades, charge allowances and other matters of importance. How do you propose to apply such time-scales in provinces where the scale of pay of the Executive and Judicial branches of the service is different?—The time-scale should be from Rs. 300 to Rs. 800 by annual increments of Rs. 50. Probationers for one year on Rs. 150. These increments would of course be subject to the condition that the officer is doing his work satisfactorily. Please also refer to answers to questions (26), (27) and (28). Whenever an officer goes on leave, the officer next in the list would officiate for him and get the pay during his absence (of course in officiating promotions transfer will not be necessary) and then reverting to his own grade pay as soon as he rejoins.

13795. (30) Do you approve of the arrangement by which officers of the Provincial Civil Service holding listed posts draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various appointments?—The members of the Provincial Civil Service holding

listed posts should draw salary at four-fifths of of the pay drawn in the same posts by members of the Indian Civil Service.

13796. (32) Is all the leave on full pay due to them ordinarily taken by officers of the Provincial Civil Service and, if not, what are the reasons? Is the amount which can be earned in your opinion suitable? If not, what alternative arrangement do you suggest?—So far as I know the leave on full pay is as a rule taken by the officers of the Provincial Civil Service. Furlough, which is leave on half pay, is not generally taken, as they find it difficult to live on half of their small salary. In consideration of their small salary and responsible position they may be allowed three-fourths of their pay when they take furlough leave on medical certificate, etc.

13797. (33) Is all the furlough due to them ordinarily taken by officers of the Provincial Civil Service? Is it necessary to allow for as much furlough as is permissible by the present rules? If not, what change do you suggest?—Please refer to answer to question (32).

13798. (34) Do you consider that the rates of furlough allowances are suitable? If not, what changes do you recommend?—Please refer to answer to question (32).

13799. (36) Have you any recommendations to make in regard to special leave, extraordinary leave without allowances, and other forms of leave? Do you consider that the present conditions governing these kinds of leave, and the leave allowances admissible, are suitable?—No changes are suggested.

13800. (37) Generally speaking, do any of the present leave rules applicable to the Provincial Civil Service cause inconvenience to the administration; and, if so, what; and what remedy do you suggest?—There is no inconvenience to the administration. But there is inconvenience to officers as they do not get the leave when they require it.

13801. (38) In particular, are they a contributory cause of excessive transfers of officers and, if so, how can this difficulty be met?—An officer is transferred no sooner he takes leave. Sometimes when an officer is fortunate enough to get a good station or the charge of a good subdivision he does not like to take even the privilege leave, as he knows that the fact of his taking leave would bring about a transfer. I think such transfers should be avoided.

13802. (39) Do any of the present leave rules press hardly in any way on officers of the Provincial Civil Service; and, if so, in what respects? What is, in your opinion, the appropriate remedy? In particular, do you regard the existing differences between the leave rules for the European and Indian services as suitable?—Please refer to answer to question (32). Privilege leave not granted is not to lapse.

13803. (40) Is the present system of superannuation pensions satisfactory in the interests both of the Government and the members of the Provincial Civil Service?—Present system seems to be all right.

13804. (42) Do you approve of the grant of reduced pensions for such officers as may be found to be inefficient, but whom it may be difficult to retire without some provision for their subsist-

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[continued.]

ence? If so, what do you suggest?—Comparatively young officers should not be compelled to retire before 55. Those who are willing to retire may be allowed pension for a service of even ten years.

13805. (43) Do you approve of the present system regulating the pensions of officers of the Provincial Civil Service holding listed posts? If not, what do you suggest?—Officers of the Provincial Civil Service holding listed posts ought to be allowed to retire on half pension, that is to say, the rules of giving half pension should be adhered to.

13806. (44) Do you consider that the existing rules governing the voluntary and compulsory retirement of members of the Provincial Civil Service are satisfactory? If not, what changes do you recommend?—When an officer wishes to retire, he should not be compelled to stay on. Please refer also to answer to question (42).

13807. (45) To what extent do members of the Provincial Service subscribe, for the benefit of their families, to the Government General Provident Fund or to other official or officially-recognised funds? Are any further facilities required, and what arrangements of this kind do you consider to be necessary?— $6\frac{1}{2}$ per cent. of the pay should be compulsorily deducted, and Government ought to contribute 5 per cent. Officers may be allowed to contribute even up to 25 per cent. if they like, but Government contribution is not to exceed 5 per cent.

13808. (46) Are you satisfied with the existing organization of the Provincial Civil Service? If not, please state what alternative organization you consider desirable, and explain fully your views, making any suggestions that appear to you to be suitable?—Please refer to my foregoing answers about appointment.

13809. (47) Have you any other proposals to make in regard to the Provincial Civil Service

not covered by your answers to the above questions? If so, please explain them?—(i) First-class travelling allowance should be allowed to officers, as it is done in other Provincial Services, such as Opium Department, Engineers, Postal Superintendents, Forest officers, etc. Formerly, when there was the competitive examination for the Provincial Civil Service, those candidates who failed to compete, but secured pass marks, used to be taken in as Superintendents of Post Offices. Such Superintendents get first-class travelling allowance, whereas Deputy Magistrates up to Rs 500 get only second-class travelling allowance. In consequence of this, they have to travel sometimes with such persons with whom they cannot, in consideration of their official position. (ii) Subdivisional Officers are first-class officers, but they are allowed only Rs. 4 a day as halting allowance, whereas the halting allowance for first-class officers is Rs. 5 a day. Subdivisional Officers should therefore get Rs. 5, and not Rs. 4. (iii) Deputy Magistrates in charge of subdivisions may be allowed some allowance in consideration of their responsible and arduous work. (iv) Officers posted to unhealthy districts may be allowed an allowance, so that they may live in better houses and in a better way to avoid as much as they can malaria, etc. (v) In case there is any confidential report against an officer, he ought to be informed confidentially about it, so that he may get an opportunity to improve himself or show that he was not to blame. (vi) In all subdivisions, there ought to be a Magistrate with first-class powers so that the Subdivisional Officer may get sufficient time for touring out in the mufassal for the sake of good administration and attend to other multifarious duties. As it is now, a Subdivisional Officer is to devote the major portion of his time in criminal work.

MR. A. P. PETERS called and examined.

13810. (Chairman.) You are a member of the Provincial Civil Service, are you not?—I am.

13811. And the Subdivisional Officer of Gaibandha, Rangpur district?—Yes.

13812. How many years have you been in the Provincial Civil Service?—Five years.

13813. How did you get into the service?—By recommendation from the District Magistrate first of all, then the Commissioner, and then the Lieutenant-Governor.

13814. What positions have you occupied?—I have been a Deputy Magistrate and Deputy Collector in different places. I was in Assam also as Extra Assistant Commissioner.

13815. You are an Indian Christian, are you not?—I am.

13816. In your written answer to question (3) you state that the cost of living has trebled in the last 15 years. Is that merely a vague statement on your part, or is it based on any definite information?—Even in my life I find that the expenses within the last 10 years have trebled, if not more than trebled.

13817. When you say they have trebled within the last 10 or 15 years, are you speaking from your experience of Calcutta or of the Presidency generally?—I should say that

in the mufassal it is worse; it is very difficult to get supplies in the interior.

13818. Your experience is that the expenses of living are higher in the mufassal than in the cities?—They are very high here too; but in the mufassal I find the expenses are very high, because there is no proper supply.

13819. You suggest that officers holding listed posts should have their pay raised to four-fifths of the rate now granted to officers of the Indian Civil Service?—That is what I have suggested, having regard to the fact that the Provincial Civil Service men have to do almost the same sort of work as that which is done by the men of the Indian Civil Service.

13820. Why do you particularly mention four-fifths, if you say that they have to do the same work?—Because I know that in the Provincial Service men would not get the same pay as the Indian Civil Service men.

13821. Is it that you do not think they ought to get the same?—They would not get the same; that is why I put it at four-fifths.

13822. What I am asking you is, why you suggest four-fifths as against what has been suggested by other witnesses, that is to say, the same pay?—Because I think that the Provincial

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Civil Service men will not get the same pay that the Indian Civil Service men get, even if promoted to listed appointments.

13823. Do you desire to see the officers in the listed posts occupying the same position and enjoying the same status as members of the Indian Civil Service?—Yes, if they are promoted to the listed posts.

13824. In answer to question (42) you say you would like to see retirement after ten years on a pension?—Yes, I meant it for those who would be willing to retire after 10 years' service.

13825. And would you give them a pension?—Yes, a proportionate pension.

13826. What proportion would you give?—It may be one-third of their pay.

13827. You have not made out any financial estimate of what your proposals would cost?—No, I have not done that.

13828. In answer to question (47) you suggest that all Deputy Magistrates should get first-class travelling allowances?—That is so. All the other Provincial Services, which are not so important as our Service, are getting first-class travelling allowances.

13829. What do you mean by the other Provincial Services?—For instance, the Superintendents of Post Offices, the Opium Department, the Engineering Department, and others about which I have stated in my written answers; they are all getting first-class travelling allowances.

13830. Are Deputy Magistrates on the same level as the officers you have mentioned?—Yes. For instance, take the Post Office Superintendents; if they failed to compete in the competitive examination of the Provincial Civil Service, they got into the Postal Department, and when they got appointments as Superintendents of the Post offices they got first-class travelling allowances, whereas a Deputy Magistrate who had to compete in the examinations got a second-class allowance.

13831. Then you say that Subdivisional Officers should be allowed Rs. 5 a day for halting allowance, instead of Rs. 4?—Yes, that is the first-class halting.

13832. Have you any particular reason why you make that recommendation?—Rs. 4 is not sufficient for an officer who goes out and does his work in the mufassal, especially a Subdivisional Officer.

13833. You mean that he has to incur out-of-pocket expenses beyond the four rupees?—I should not say that he has to; in some cases he must, but not always.

13834. That is the important point, is it not, whether he is actually paying out of his own pocket for his necessary expenses? With your permission I would point out that District Engineers, who are Provincial men, also get the first-class halting allowance of Rs. 5.

13835. And they hold similar positions to these?—Exactly.

13836. Then you speak of officers posted to unhealthy districts, and say that they should be given an allowance so that they may live in a better house and in a better way, in order to avoid as much as possible malaria, etc. How can you carry that into practical operation?—It will be rather difficult, I think. The higher officials all know which are bad districts, and it

should not be difficult for them to find out the bad districts and give a certain allowance to the officers there.

13837. Who is going to make the list of bad districts?—I think the statistics will show what they are.

13838. You would give an extra allowance to officers posted in those districts?—Yes.

13839. Would not that make for lack of uniformity in the pay of officers?—There are many places where a Deputy Magistrate, when he is transferred there, always likes to have a transfer, and is constantly troubling the higher officials for that transfer; but if a thing like this is done, it will be a check on that, and the officers will be able to live more comfortably and avoid malaria and things like that.

13840. Is it your experience that officers are put to expense on that score in those districts?—Yes.

13841. (Sir Murray Hammick.) Which of these Provincial Services do you think is the most attractive if a young man wants to go into the Provincial Service. Does he try to get into the Revenue, or Forest, or Police, or Postal, or Telegraphs?—That depends on the tendency of the man. If he has got a liking for the Forest he goes into the Forest; if he has a liking for the Law he goes into the Law.

13842. Which of those is considered to have the best prospects for a boy?—I think the other appointments have better prospects now—the Forest and Opium.

13843. How about the Police? Would you rather go into the Police than into the Provincial Service?—I have not put down anything about the Police in my proof.

13844. If you had a relation of yours asking your advice as to which department he should go into, would you advise him to prefer the Police to the Revenue, or not?—I would rather advise a friend to get into the Revenue Provincial Service.

13845. You would rather advise him to go into the Revenue Provincial Service than into the Police?—Yes.

13846. Do you think his monetary prospects would be better?—It is not for that reason. I should like the Civil Department better than the Police.

13847. You mean that he would not care for the work in the Police perhaps, but I am referring to the emoluments only; which do you think is the better department in that respect, the Police or the Revenue Department?—Some of our officers have gone into the Police; I know two or three Deputy Magistrates who have done so, and they have better prospects than what we have because they have become Superintendents of Police.

13848. Therefore you think they have better prospects in the Police than they would have in the Revenue Service?—Yes.

13849. I see you desire simultaneous examination for the Indian Civil Service?—Yes, I have said so in my written answers. As I was following the questions and answers here, it appeared to me that if the Provincial Civil Service is really put on a better footing, and if there are more State scholarships added, the present system of recruitment by open

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competition for the Indian Civil Service should be continued.

13850. Then you would not be in favour of this being done by simultaneous examination?—If these things are done, I may say this may be continued if more scholarships are added, and if the Provincial Civil Service is actually put on a much better footing than it is now.

13851. You would not care to see simultaneous examinations introduced then?—That is so.

13852. What I wanted to point out to you is this that in your answer to question (11) you ask for an addition to the listed posts, for six District Magistrates and Collectors to be appointed to the Service, and I suppose you would want a corresponding addition in the Judicial Service. In that case you would not ask for simultaneous examination, I suppose?—No, if the Provincial Service can be put on a better footing in that way.

13853. You would not like to see simultaneous examinations granted if all the listed appointments were taken away from the Provincial Service?—I should rather prefer the appointments to be taken from the Provincial Service than have a simultaneous examination.

13854. But if a simultaneous examination necessitated the taking away of all the listed posts from the Provincial Service, would you like to see simultaneous examinations?—No.

13855. (*Mr. Madge.*) You say in answer to question (27) that it has been found possible and expedient to employ in all branches of the administration Indians recruited for the Indian Civil Service in England. So far as the matter has come under your observation, do they make equally good Executive officers as Englishmen?—Yes, in some cases they do.

13856. Since the last Public Service Commission have you found that the Provincial Bar has prevented men rising to higher appointments than they did before? Before the last Commission men were occasionally raised from the Uncovenanted Service to posts previously held by the Covenanted Service. Since this division of the lower service has been called Provincial, have you found that fewer promotions of that kind have taken place?—I do not know, I have not seen that.

13857. You say you prefer the appointment of a Deputy Magistrate to one in the Police; do you mean by that the Inspectorships or the Assistant Superintendships of the higher grades?—I mean appointments in the Police Department as a whole.

13858. You mean the Inspectorships?—No, the Police Service.

13859. (*Mr. Chahal.*) With regard to your answer to question (11), have you had any legal training?—Yes.

13860. Are you a B.L.?—No, I had the departmental examination.

13861. Do not Assistant Judges and Sessions Judges do civil work?—Yes, but I meant only the criminal portion of their duty; that is the reason why I put in Sessions Judges and not District Judges.

13862. Are there Assistant Judges and Sessions Judges who do no civil work?—No, this is a new suggestion altogether, i.e., to promote

Deputy Magistrates as Judges for the criminal portion of the work and Subordinate Judges as Judges for the civil portion of the work.

13863. You want two posts created only doing criminal work?—Yes, I want Subordinate Judges to be promoted to District Judgeships and Deputy Magistrates to Sessions Judgeships, i.e., only those officers of the Provincial Civil Service found fit for listed appointments.

13864. Which do you want?—The Sessions Judgeships.

13865. You want the thing split into two and the Sessions Judges to have criminal powers?—To be given to the Deputy Magistrates.

13866. That is to say the Indian Civil Service criminal powers should be taken away and should be given over to Deputy Collectors? Those who are promoted from the Judicial Service may be made Assistant District Judges, and those who are promoted from our Service may be styled Assistant Sessions Judges.

13867. What posts would you give to the present Judicial Department?—The judicial work.

13868. How many listed posts would you have for them?—I have not worked that out.

13869. You simply want that, in addition to the four posts which the Executive branch now has in the listed posts, they should get some more?—Yes, if there are four, the work should be divided into four for the executive work and four for the judicial.

13870. That is so at present; there are four for the judicial and four for the executive; out of eight posts four are given to the Judicial branch and four to the Executive branch?—But the Deputy Magistrates are made District Magistrates and not Assistant Sessions Judges.

13871. You want Assistant Sessions Judges' powers to be taken away from those who now get the listed posts and handed over to the Executive branch?—Yes.

13872. You do not want any more places?—Yes, I have stated that we want more listed appointments.

13873. In connection with this point do you want any addition to be made to the eight places?—Yes, I do.

13874. Then look at your answer to question (12), where you say "In subdivisions there ought to be at least one first-class Magistrate in addition to the Subdivisional Officer in order that the Subdivisional Officer may pay proper attention towards the administration of his subdivision and his tour work." Am I to understand from that answer that on account of the Subdivisional Officers having to do criminal work they do not find sufficient time for the disposal of the administrative work?—Exactly so, they get very little time.

13875. That is to say, the Subdivisional Officer on account of his criminal work has to let his administrative work suffer?—Yes, to a certain extent the work suffers.

13876. And you want this separation of the two duties?—Yes. I may add that in my personal experience I have not got even an officer with second-class powers during the last three months, and that is why the work suffers.

13877. You mean to say that in your own case you are not able to do the administrative

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work as well as you would be able to do it if you had magisterial powers given to some one else?—Not the entire magisterial power, but part of it.

13878. If you were relieved of part of your magisterial work you would be able to find time to do your administrative work better?—Yes. I should be able to tour about in the mufassal more than I can do now.

13879. (Sir Theodore Morison.) In answer to question (29), do I understand you rightly that you propose a higher scale of Rs. 300 to Rs. 800 rising by annual increment of Rs. 50?—Yes.

13880. According to your scheme they would reach their present maximum in ten years?—I think to Rs. 800 in 10 years. According to my suggestion the maximum is Rs. 1,200 and not Rs. 800.

13881. With one year's probation?—Excluding one year's probation at Rs. 150; that would make it 11 years and not 12 to go up to Rs. 800.

13882. That is an enormous increase in salary over the present system. How long does it take a man to get to the Rs. 800 grade now?—The majority of the officers never get to Rs. 800 at all.

13883. How long does it take those who do?—The very lucky officers take about twenty-five years or more.

13884. And you propose he should get it in half the time?—Yes.

13885. (Mr. Mukherji.) You said just now you would give one third pension to a man who voluntarily retired after ten years' service. Do you know that under the present rules a man who is invalided after ten years' service gets only one-sixth?—That is not sufficient, and that is why I said he should get more.

C. C. GHOSE, Esq., Barrister-at-Law.

Written answers relating to the Indian Civil Service.

13896. (1) What is your experience of the working of the present system of recruitment by open competitive examination in England for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—I think, subject to what is stated hereinafter, that the present system of recruitment by open competition in England for the Indian Civil Service works very well, and I accept it as generally satisfactory in principle.

13897. (2) In what respects, if any, do you find the present system faulty in detail, and what alterations would you suggest?—Except as hereinafter stated, I do not think that the present system is faulty in detail and have no alterations to suggest.

13898. (3) Is the system equally suitable for the admission of "Natives of India" and of other natural-born subjects of His Majesty? If not, what alteration do you recommend?—I think the present system is suitable for all natural-born subjects of His Majesty, including Indians. It operates, however, as a most grievous hardship on Indians, inasmuch as the examination is held in England.

13899. (4) Do you consider that the combination of the open competitive examination for the Home and Colonial Civil Services with

13886. Then you want men of the Provincial Service to be made Assistant Sessions Judges?—Yes.

13887. That is only a preparatory step to their being appointed District and Sessions Judges?—Not District Judges but as Sessions Judges.

13888. Do you want to split the appointment of the District Judge into two parts?—Yes.

13889. That would mean that you would require two Judges for every district?—Yes.

13890. Have you ever thought of that?—Yes, I have thought of that.

13891. That would mean an enormous increase in the cadre of the Indian Civil Service?—Yes.

13892. (Mr. Sen.) Do you recommend first-class travelling allowances for Deputy Magistrates?—Yes.

13893. Do you recommend the same for Munsifs?—Yes.

13894. You say that Deputy Magistrates should be appointed Sessions Judges, but that is not practicable at present so long as the powers of District and Sessions Judges are vested in one and the same Judge?—No, it is not practicable then.

13895. Your scheme is that the judicial should be separated from the executive, or that the civil and criminal work should be separated?

—I mean separation of civil and criminal work. The Deputy Magistrates will become Sessions Judges, and Munsifs and Subordinate Judges would become District Judges.

(The witness withdrew.)

that for the Indian Civil Service is, or is not, to the advantage of Indian interests? Please give your reasons?—I think it is to the advantage of Indian interests and it increases the chances of India getting the best men available.

13900. (5) If you do not consider the present system of recruitment by an open competitive examination to be satisfactory in principle, please state what alteration you would propose? (6) In particular, what would be your opinion regarding a system of simultaneous examinations in India and in England, open in both cases to all natural-born subjects of His Majesty? (7) What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service cadre by Natives of India, recruited by means of a separate examination in India, or by means of separate examinations in each province or group of provinces in India? If you favour such a scheme, what proportion do you recommend?—(5) to (7) At the outset I may say I agree in the opinion that an adequate proportion of the members of the Indian Civil Service should be Europeans. Constituted as the Government of the country at present is, and having regard to India's connection with England and to what has been done for India by England, I entirely agree that for a long time to come we must be dependent on the assistance of Britishers in so

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levelling up the country that it may be ultimately possible to entrust Indians with a real measure of self-government within the Empire. But the important question which is awaiting decision is what that proportion of Europeans in the Indian Civil Service should be, having regard to the changing conditions of the country and having regard to the fact that there has been admittedly created an educated class in India from among whom it is possible to select suitable men for positions in the higher ranks of the public service. It has been said that, if British rule should exist in India, it is absolutely necessary that there should be an "irreducible minimum" of British officials in India. But the question naturally arises: what is this "irreducible minimum?" The words "irreducible minimum" should not be interpreted in such a way as to deprive the Indian people of an effective voice in the direction and supervision of the administration of their own country. It is not merely a question of careers for our young men or of rupees, annas and pies, but it is a most vital question whether the dwarfing or stunting of the Indian race which is going on under the present system is to be allowed or not. In other words, the real question is, as has been said by an eminent Indian publicist, whether we are to be denied the upward impulse which every schoolboy in England feels, that he may one day be a Gladstone or a Nelson or a Wellington, and which draws forth the best efforts of which he is capable, and whether the full height to which our manhood is capable of rising is to be reached or not. With these words I come straight to these questions, and I say that the present system of recruitment by open competition in England for the Indian Civil Service operates as a grave hardship upon His Majesty's Indian-born subjects, and the alternative I would propose is the one indicated in the resolution of the House of Commons, dated the 2nd June 1893, subject to certain qualifications and safeguards as mentioned below. It is admitted on all hands that under present arrangements His Majesty's Indian subjects are over-weighted as compared with European candidates in the competition held in London. (See, for instance, the speech of His Grace the Duke of Argyll, Secretary of State for India, on the 11th March 1869.) This admission is implied on the assumption that if simultaneous examinations were introduced, the proportion of Indians who would succeed would be largely increased, and in the contention that the change would be fraught with various dangers connected with such increase. I desire to say a word in passing as regards the theory of danger to British rule in India. I maintain that the very existence of these Indian-born civilians would be bound up in the maintenance of British supremacy in India, and that no more loyal supporters of British rule in India would be found than within their ranks. The bulk of these Civilians would be employed in ordinary executive and judicial offices, to the ordinary duties of which they may be expected to be quite equal. The principles of administration and legislation will not be determined by them, and there is no reason whatever to suppose that authority, power and responsibility

would fail in case of these Civilians to produce their usual effects of developing strength and energy; and there is likewise no reason whatever to fear that, given the high training guaranteed by the conditions of entry into the Indian Civil Service, these Indians will bring down the tone of administration in this country. It may be said that the question of simultaneous examinations in India was considered by the Public Service Commission of 1886 and negatived by it, and that the question was further considered by Lord Lansdowne's Government in 1893 and rejected by them, and by Sir Henry Fowler, the then Secretary of State for India, and that practically everything on the subject has been said. In the first place, I desire to point out the recommendation of Sir Charles Aitchison and his colleagues that "on a full consideration of the evidence before them it was inexpedient to hold an examination in India for the Covenanted Civil Service simultaneously with the examination in England" was against the weight of evidence taken by them, as will appear from the following table. I will take the witnesses examined presidency by presidency and province by province, and show in what direction the balance of testimony lies:—

1. Bengal.

| | | | |
|------------------------------------|-----|-----|-----|
| Total number of witnesses examined | ... | ... | 195 |
| For simultaneous examinations | ... | 143 | |
| Against simultaneous examinations | ... | 35 | |
| Majority for | ... | 108 | |
| Neutral or doubtful | ... | 17 | |
| | | 125 | |

2. Madras.

| | | | |
|------------------------------------|-----|-----|-----|
| Total number of witnesses examined | ... | ... | 100 |
| For simultaneous examinations | ... | 63 | |
| Against simultaneous examinations | ... | 25 | |
| Majority for | ... | 38 | |
| Neutral or doubtful | ... | 12 | |
| | | 50 | |

3. Bombay.

| | | | |
|------------------------------------|-----|-----|-----|
| Total number of witnesses examined | ... | ... | 112 |
| For simultaneous examinations | ... | 64 | |
| Against simultaneous examinations | ... | 34 | |
| Majority for | ... | 26 | |
| Neutral or doubtful | ... | 10 | |
| | | 36 | |

4. North-Western Provinces and Oudh.

| | | | |
|------------------------------------|-----|-----|----|
| Total number of witnesses examined | ... | ... | 65 |
| For simultaneous examinations | ... | 51 | |
| Against simultaneous examinations | ... | 23 | |
| Majority for | ... | 28 | |
| Neutral or doubtful | ... | 5 | |
| | | 33 | |

5. Punjab.

| | | | |
|------------------------------------|-----|-----|----|
| Total number of witnesses examined | ... | ... | 50 |
| For simultaneous examinations | ... | 26 | |
| Against simultaneous examinations | ... | 16 | |
| Majority for | ... | 10 | |
| Neutral or doubtful | ... | 18 | |
| | | 28 | |

6. Central Provinces.

| | | | |
|------------------------------------|-----|-----|----|
| Total number of witnesses examined | ... | ... | 42 |
| For simultaneous examinations | ... | 24 | |
| Against simultaneous examinations | ... | 10 | |
| Majority for | ... | 14 | |
| Neutral or doubtful | ... | 5 | |
| | | 19 | |

Summary.

| Province. | For. | Against. | Doubtful. |
|-------------------------------------|---------------------|----------|-----------|
| 1. Bengal | 143 | 35 | 17 |
| 2. Madras | 63 | 25 | 12 |
| 3. Bombay | 64 | 34 | 14 |
| 4. North-Western Provinces and Oudh | 51 | 23 | 11 |
| 5. Punjab | 26 | 16 | 8 |
| 6. Central Provinces | 24 | 10 | 8 |
| Total | 371 | 153 | 70 |
| Majority for | 195 or 65 per cent. | | |
| Over, Against and doubtful | 125 or 65 per cent. | | |

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Of the 361 in favour even then so many as 49, or 13·5 per cent. were Europeans, not from any one part of India, but from all parts of India. I humbly submit that having regard to the figures set out above and to what may be further revealed on a closer analysis of the materials before the Commission, it increases one's wonder that on the face of the evidence they took and in view of the instructions they received from Lord Dufferin's Government the Commissioners of 1886 could have reported in the manner in which they did. The arguments that were advanced by Lord Lansdowne's Government will be found elaborated on pages 65 to 94 of the Parliamentary paper C-7378. Stated in the briefest possible terms, Lord Lansdowne's Government apprehended certain "practical difficulties" in introducing any scheme of simultaneous examinations for the Indian Civil Service in England and in India, and they thought that the condition that an adequate proportion of the members of the Indian Civil Service should always be Europeans, upon which Lord Kimberley had insisted, was in itself destructive of the resolution passed by the House of Commons. They were further of opinion that no material weakening of the European element in the Indian Civil Service was possible with the safety of British rule in India, and they went on to observe that the "pledges" upon which Indians had been insisting merely announced in the first place the removal of certain disabilities and in the second place they were expressly limited by the famous words of Her late Imperial Majesty Queen Victoria "so far as may be" in her Proclamation of 1858, and that open competition was not the best way of selecting Indians for the higher ranks of the service. In the first place, I beg leave to observe that the question of the practical difficulties in introducing the scheme of simultaneous examinations was considered by the Committee consisting of Sir J. P. Willoughby, Mr. Mangles, Mr. Arbutnot, Mr. Macnaghten and Sir Erskine Perry (all Anglo-Indians by the way), appointed by the Secretary of State in 1860, and they reported that the scheme could be carried out without any difficulty whatsoever (see paragraph 6 of the Report of the Committee, dated the 20th January 1860). Lord Lansdowne's Government questioned the possibility of maintaining the secrecy of the examination papers if sent out to this country; but it stands to reason if the changes announced by His Majesty the King-Emperor at Delhi could have been kept secret for several months till the day of the Durbar, the secrecy of examination papers sent out to this country can be maintained easily. The British Government would expose itself to universal ridicule if it were to seriously put forward an argument of this description against the introduction of simultaneous examinations for the Indian Civil Service. I desire next to observe that whether the condition insisted upon by Lord Kimberley was in itself destructive of the resolution passed by the House of Commons or not, I think it will go a great way towards producing real contentment in the country, and towards securing real comradeship between Europeans and Indians in the

public service, and towards giving tangible effect to the beneficent intentions of the English people, if one-half of the whole annual recruitment for the Indian Civil Service is reserved, as is indicated below, for the Indian-born subjects of His Majesty. I do not by any means wish it to be understood that this figure of one-half is to be fixed for all time, but I do maintain that this is the "irreducible minimum" to which it is possible for Indians to agree. Next I desire to observe that no one wishes to endanger the safety of British rule in this country. It may be unfashionable to state that the safety of British rule in this country really depends upon the contentment and happiness of the Indian people; but no one can doubt that that is the honest truth about the matter. As I have said above, we require European assistance in a great measure in the administration of this country. But that does not legitimately lead to the conclusion that there must always be a charmed circle—call it *corps d'élite* if you like—to which no Indian can be allowed access. I know Lord Curzon held this theory; but the untenableness of the position taken up by Lord Curzon was demonstrated by Mr. Gokhale in the budget discussion of 1905, and to some extent also by Lord Morley (then Mr. John Morley) from his place in the House of Commons.

As regards the theory that a certain "irreducible minimum" of Europeans is necessary in India, I humbly submit that there ought not to be so great a minimum as now exists. The highest posts in India may certainly continue to be occupied by Europeans, but it is a moot question as to whether the time has not now arrived, after nearly 200 years of British rule in this country, when a reasonable proportion of the men in the Indian Civil Service may not be Indians. In Bengal we have had several Indian officers who have managed heavy districts with conspicuous success, and it has never been hinted that the tone of district administration under Indian officers in Bengal has in any instance deteriorated. On the contrary, testimony has been borne by senior European officers in the Indian Civil Service to the efficiency of district administration by Indians (see, for instance, the evidence of Mr. H. J. Reynolds, Member, Board of Revenue, Bengal, before the Public Service Commission of 1886). In the next place I take leave to observe that the pledges referred to above cannot be explained away in the manner adopted by the Government of India in their despatch of the 17th November 1883. I will not pause after Lord Morley's interpretation of the Proclamation of 1858 to discuss at any length the meaning sought to be attached to it by Lord Lansdowne's Government.

I pass on to the last objection urged, namely, that open competition was not the best way of selecting Indians for the higher ranks of the service. Confining myself to Bengal, I may observe that the competitive system for entry into the Executive branch of the then Uncovenanted Civil Service was found to be a success by men like Sir Richard Temple and Sir Steuart Bayley, and that although at a later period the system was altered into one of mixed competition and selection, it cannot be gainsaid that the men who were admitted as the result of a competitive

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examination in Bengal have always given satisfaction by the efficient discharge of their duties. I adopt entirely what was said by Mr. Kisch, *i.c.s.*, before the Public Service Commission of 1886 in answer to questions Nos. 2242 and 2331, and I think that if the examination is properly regulated and framed, it might be a pretty accurate test of a man's ability for the Public Service. I do not think that a competitive examination would exclude the Muhammadans or other races similarly situated. Education has made great strides among the Muhammadans since 1893, and at the present moment, to the thanks impetus given by the educational movement among the Muhammadans, there are numbers of educated Muhammadans who are generally able to hold their own against their Hindu or English compeers. The conclusion that I come to and the suggestion that I humbly beg leave to place before the Commission is that, instead of an open competitive examination in England for the Indian Civil Service being maintained, there ought to be simultaneous examinations in India and in England, open in both cases to all natural-born subjects of His Majesty, and that one-half of the annual vacancies should be filled by Indians. The scheme that I suggest is this: supposing that in one particular year there are 60 places vacant in the Indian Civil Service and examinations are held simultaneously in England and in India, then 30 places would be reserved for Indians. Should, say, five candidates of Indian birth be successful at the open competition in England, then only 25 among the successful Indian candidates at the open competition in India would be taken in. I would further suggest that those 25 should be made to go to England to undergo a period of probation at some University in England. If there are no Indians successful in England, then the whole 30 will be filled up from candidates in India. In the case of candidates appearing in India, it should be laid down that there should be a minimum number of marks necessary to be obtained. In other words, what I suggest is this: hold simultaneous examinations in England and India and arrange all candidates in one common list in order of merit, but subject to this condition, that Indians in excess of one-half of the total number of vacancies offered for competition would be passed over in favour of the Europeans next below them in the list; and conversely, that Europeans in excess of one-half would be passed over in favour of Indians. I think the examination in England and in India should be the same, and I am not in favour of a separate examination in India or separate examinations in each province or group of provinces in India. I am familiar with the reasons which Sir Dennis Fitzpatrick gave in favour of separate examinations for each province (see page 53, Parliamentary paper C-7378), but I think the balance of argument is altogether against separate examinations. Before leaving this subject I desire to observe that the question of simultaneous examinations is not a new cry of these latter days. As early as 1860 it was considered by a Committee appointed by the Secretary of State, and it was strongly recommended as being the only way of redeeming the honour

of England and doing justice to India. In their memorial dated 13th August 1867, the East India Association of London laid stress on the question and begged of Sir Stafford Northcote, the then Secretary of State for India, to take the question into his earnest consideration. It may be observed in passing that the East India Association of London was prepared to agree to only a certain proportion of appointments being reserved for Natives of India. Sir Stafford Northcote, the then Secretary of State for India, in answer to the deputation which waited on him on the 21st August 1867, was inclined to approve of the proposal. The British Indian Association of Calcutta submitted memorials on the subject to Lord Lawrence's Government early in 1868, and the late Mr. Fawcett raised the question in the House of Commons on the 8th May 1868. Lord Lawrence also considered the matter in his despatch dated the 13th June 1868; and Sir Stafford Northcote in his despatch dated the 14th October 1868, which instituted the scholarship scheme, dealt with the question. The Duke of Argyll, however, gave orders for discontinuing the scholarship scheme, and his remedy was the Act of 1870, a small and tardy measure of justice to India. It is unnecessary to go into the history of the rules made under the Act of 1870 and of what was ultimately done in 1879; the question, however, was definitely forced upon the attention of the Government of India and of the India Office by the memorials from the Indian Association in 1883 and by the deputation which waited on the Marquis of Hartington early in 1884. Lord Ripon's Government was inclined to agree that 18 per cent. of the annual recruitment should be reserved for Natives of India. (This was in 1884.) But Lord Kimberley vetoed Lord Ripon's proposals. Then came the Public Service Commission of 1886, and it is well-known how the concurrence of the three Indian members of that Commission mentioned in the famous paragraph 60 of the Commission's Report was obtained to the scheme therein. Mr. Paul's resolution in the House of Commons is within living memory, and it is unnecessary to deal with what has been done and said on the subject since, except to point out that the only really representative body composed of educated Indians, namely, the Indian National Congress, has in every year very properly insisted upon the supreme importance of the question and upon the imperative need of the ruling race being unanimous enough to grant this measure of justice to India.

13901. (8) If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which Natives of India would be selected in India for admission to the Indian Civil Service by means of (a) nomination, (b) combined nomination and examination, or (c) any other method? If so, describe fully what system you would recommend. In particular do you consider it desirable that all classes and communities should be represented in the appointments so made? If so, how would you give effect to this principle? —As I have said before, I am in favour of a competitive system only. It is undesirable to introduce the principle of representation in the

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matter of appointments to the Indian Civil Service.

13902. (9) If you are in favour of a system for the part recruitment of the Indian Civil Service by Natives of India in India, do you consider that "Natives of India" should still be eligible for appointment in England?—I certainly think that even if simultaneous examinations were introduced, there ought not to be any restrictions whatsoever in the matter of eligibility of Indians for appointment by open competition in England.

13903. (10) Would you regard any system of selection in India which you may recommend for young men who are "Natives of India," as being in lieu of, or as supplementary to, the present system of promoting to listed posts officers of the Provincial Civil Service? If the former, what alteration, if any, would you recommend in the conditions governing the Provincial Civil Service?—The scheme I have recommended would be in lieu of the present system of promoting to listed posts officers of the Provincial Civil Service. But if it is rejected and a smaller proportion than one-half is accepted, then I would retain the present system.

13904. (11) Do you recommend any separate method of recruitment for the judicial branch of the Indian Civil Service? If so, please describe the system which you would propose?—As regards recruitment for the judicial branch of the Indian Civil Service, I think the proper course is to open out all the judgeships in India to the subordinate judiciary and to the legal profession. I adopt entirely what has been said by Sir Ernest Trevelyan in the Law Quarterly Review, Volume 17, page 77, on this subject.

13905. (12) Are you satisfied with the present statutory definition of the term "Natives of India" in section 6 of the Government of India Acts, 870 (33 Viot, o. 3), as including "any person born and domiciled within the Dominions of His Majesty in India, of parents habitually resident in India, and not established there for temporary purposes only," irrespective of whether such persons are of unmixed Indian descent, or of mixed European and Indian descent, or of unmixed European descent? If not, state fully any proposals that you wish to make in regard to this matter?—I am not satisfied with the definition of "Natives of India" referred to in this question. I would include in the expression "Natives of India" subjects of what are called the Native States of India.

13906. (13) If the system of recruitment by open competitive examination in England is retained, state the age-limits that you recommend for candidates at such examination, giving your reasons?—I think the present age-limits are suitable.

13907. (14) What in your opinion is the most suitable age at which junior Civilians recruited in England should commence their official duties in India?—The most suitable age is 24 or 25.

13908. (15) What age-limits for the open competitive examination in England would best suit candidates who are Natives of India, and for what reasons? Do you recommend any differentiation between the age-limits for Natives

of India, and for other natural-born subjects of His Majesty?—I do not recommend any differentiation.

13909. (16) What alterations, if any, do you recommend in the authorised syllabus of subjects and marks prescribed for the open competitive examination?—As regards the authorised syllabus of subjects and marks prescribed for the open competition, I think greater weight should be given in the scheme of the examination to the Oriental classical languages so as to make them equal to the classical languages of Europe. I suggest also the following:—

| | |
|--------------------------|------------------|
| Indian History ... | ... 1,000 marks. |
| Hindu and Muhammadan Law | 500 " |

13910. (17) Is any differentiation in the subjects for the open competitive examination in England desirable between candidates who are Natives of India and other candidates?—I suggest no differentiation should be made.

13911. (18) Do you consider it necessary that certain posts should be reserved by statute for officers recruited to the Indian Civil Service, and, if so, what posts and for what reasons?—I would reserve by statute certain posts in the executive line only for members of the Indian Civil Service.

13912. (19) Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the civil administration? If so, to what proportion of the posts included in the Indian Civil Service cadre do you consider that Natives of India might under present conditions properly be admitted?—See previous answers. In the event of simultaneous examinations being not introduced I would not limit the proportion of Indians in the Indian Civil Service.

13913. (20) Do you accept as generally satisfactory in principle the present system under which Natives of India are recruited for posts in the Indian Civil Service cadre partly through the medium of an open competitive examination in England and partly by special arrangement in India?—Yes, the competitive test being applied in India as far as it is practicable.

13914. (21) Do you consider that the old system of appointment of "statutory civilians" under the Statute of 1870 should be revived, and, if so, what method of recruitment would you recommend?—I would revive the Statutory Civil Service if simultaneous examinations are not introduced, but I would throw it open for competition.

13915. (22) If the system of recruiting Military officers in India for posts in the Indian Civil Service cadre has been stopped or has never existed in your province, would you advise its reintroduction or introduction as the case may be, and if the system should be introduced or reintroduced, to what extent, in your opinion, should it be adopted?—I am against recruiting military officers in India for posts in the Indian Civil Service cadre.

13916. (23) Do you consider that such a system should be restricted to the recruitment of military officers or extended to the recruitment of selected officers from other Indian services?—

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I am against recruiting Military officers in India for posts in the Indian Civil Service cadre.

13917. (24) What is your opinion of the system by which certain posts, ordinarily held by members of the Indian Civil Service, are declared to be posts (ordinarily termed listed posts) to which members of the Provincial Civil Service can properly be appointed?—The system has not been a success, because generally old and effete men have been appointed.

13918. (25) Are you satisfied with the present rule which prescribes that Natives of India other than members of the Provincial Civil Service or Statutory Civilians may be appointed to one quarter of the listed posts?—I do not know whether the rule has been applied in practice.

13919. (28) Please add such remarks as you may desire to offer on any points relating to the system of recruitment for Indian Civil Service posts which are not covered by your answers to the foregoing questions?—If my scheme is rejected, then I suggest that facilities on a liberal scale should be given to Indian students to proceed to England with a view to compete for the Indian Civil Service. I suggest the revival of Sir Stafford Northcote's scheme of scholarships: there ought to be at least 50 scholarships for a country so large as India. Further, I suggest that unsuccessful Indian Civil Service candidates should be employed in the other public services in India.

13920. (29) Do you consider that candidates recruited for the Indian Civil Service by open competitive examination should undergo a period of probation before being admitted to the service? (30) If so, how long, in your opinion, should this period be, and what course of study should be prescribed for the probationers?—(29) and (30) I certainly think that there should be a period of probation before the candidates are admitted to the service, and the period should be two years in the case of candidates appearing in India in my scheme instead of one. The course of study should include a compulsory subject in Indian law and in the vernacular of the province to which the candidate is allotted.

13921. (31) Do you consider that any differentiation is necessary between the course of study for probationers who are Natives of India and the course prescribed for other natural-born subjects of His Majesty?—I am opposed to any differentiation as indicated in question (31).

13922. (32) Do you consider that the probationers' course of instruction could best be spent in England or in India?—Is your answer equally applicable to the case of Natives of India and of other natural-born subjects of His Majesty?—The probationer's course of instruction should be spent in England.

13923. (33) Do you think it desirable to start, at some suitable place in India, a college for the training of probationers of the Indian Civil Service, and possibly of other Indian services recruited in England?—I do not think it desirable to start any colleges in India.

13924. (34) Do you think it desirable that each Provincial Government should arrange for the training of probationers by suitable courses

of instruction for the whole or portions of the first two years of service at some suitable centre?—I think that each Provincial Government should arrange for the training of probationers by suitable courses of instruction for the whole of the first two years of service at different centres under selected officers.

13925. (35) Are you satisfied with the present arrangements for the training of junior officers of the Indian Civil Service after they have taken up their appointments in India? If not, what change should, in your opinion, be introduced?—I am dissatisfied with the present arrangements for the training of junior officers of the Indian Civil Service for the Judicial branch. If the present conditions of the service are to be maintained, then I would suggest the remedy which is indicated on page 81 of the article by Sir Ernest Trevelyan referred to above.

13926. (36) Do you consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service? If so, what are the causes? Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages, and, if not, how could this best be remedied?—I believe there has been. The causes are—(i) spread of English education among Indians; (ii) frequent absences in Europe.

13927. (37) Please give your views as to what steps (if any) are necessary to improve the proficiency in the knowledge of law of members of the Indian Civil Service, distinguishing between recommendations applicable to all officers and to officers selected for the Judicial Branch?—The standard of the departmental examinations should be raised as regards Judicial officers—see previous answers.

13928. (38) Do you recommend any special course of study in law in India for officers selected for the Judicial branch?—I suggest the Calcutta B.L. course.

13929. (39) Do you recommend any special training in subordinate judicial posts in India for officers selected for the Judicial Branch? If so, please give details?—Yes, I should recommend that they should be employed for a few years as Munsifs and Sub-Judges.

13930. (40) Is any differentiation desirable in a system of training after appointment in India between members of the Indian Civil Service who are Natives of India and other natural-born subjects of His Majesty?—I am opposed to any differentiation.

13931. (41) If you have recommended the introduction of any scheme of direct recruitment in India for Natives of India, whether in lieu of, or supplementary to, the system of recruitment in England, please state what system of probation and training you recommend for officers so recruited?—The system of probation and training I recommend for Indians is exactly the same as for Europeans. I am opposed to any differentiation.

13932. (42) Is any differentiation necessary in regard to the probation and training of members of the Indian Civil Service who are Natives of India as between persons of unmixed Indian descent, of mixed European and Indian descent and of unmixed European descent? If

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so, please state your proposals?—The system of probation and training I recommend for Indians is exactly the same as for Europeans. I am opposed to any differentiation.

13933. (45) Do you consider that the exchange compensation allowance introduced in 1893, eligibility for which depends on nationality or domicile, should be abolished; and, if so, under what conditions? Should such abolition apply to officers already employed or be restricted to future entrants?—I am strongly opposed to the exchange compensation allowance introduced in 1893. I would abolish it, but I would allow increase in the salaries.

13934. (46) If abolition is recommended with compensation in the form of increased salaries, what is your opinion regarding the grant of a similar increase of salary to those members of the service who now draw no exchange compensation allowance?—If there is to be any increase then I would allow an increase all round, irrespective of nationality or domicile.

Written answers relating to the Provincial Civil Service.

13935. (51) Please refer to Government of India Resolution No. 1046—1058, dated the 19th August 1910, defining the general conditions which should govern recruitment to the Provincial Civil Service, and reproduced as Appendix A. Are those conditions suitable, or have you any recommendations to make for their alteration?—I think a small proportion of appointments should be reserved for nomination: the rest should be thrown for open competition.

13936. (52) In particular, are the rules for the recruitment of the Provincial Civil Service in force in your Province suitable, or have you any recommendations to make for their altera-

tion?—I think that recruitment should not be restricted to residents of the province to which it belongs.

13937. (53) Do you consider that recruitment for a Provincial Civil Service should ordinarily be restricted to residents of the province to which it belongs?—I think that recruitment should not be restricted to residents of the Province to which it belongs.

13938. (54) Are all classes and communities duly represented in your Provincial Civil Service? Do you consider that this is desirable, and what arrangements do you recommend to secure this object?—Efficiency should always be regarded as the primary and essential condition.

13939. (57) To what extent are the functions of the officers of the Executive and Judicial branches of your Provincial Civil Service differentiated? Is any change desirable; and, if so, in what direction?—I do not quite follow what is asked. I suggest complete separation of executive and judicial functions.

13940. (59) Do you accept as suitable the principle recommended by the Public Service Commission of 1886-87, and since followed, that the conditions of the Provincial Civil Services as regards salary should be adjusted by a consideration of the terms necessary to secure locally the desired qualifications in the officers appointed? If not, what principle do you recommend?—The scale of salaries requires immediate revision. The salaries should be increased.

13941. (60) Are the existing rates of pay and grading in the Provincial Civil Service of your province adequate to secure the desired qualifications in the officers appointed? If not, what alterations do you recommend?—The scale of salaries requires immediate revision. The salaries should be increased.

MR. C. C. GHOSE called and examined.

13942. (Chairman.) You are a Barrister-at-Law?—I am.

13943. Have you ever occupied any position in the public service?—I have not.

13944. Would you tell me to what caste you belong?—I am a Hindu Kayastha.

13945. In your answer to question (7) you lay stress on the volume of evidence in favour of simultaneous examinations given before the Public Services Commission of 1886. I suppose you admit that it is not only the volume of evidence that a Royal Commission has to regard, but also the weight of the evidence?—Certainly, and I have indicated that also.

13946. You say you are in favour of what you call simultaneous examination in India open to natural-born subjects of His Majesty, and suggest that one-half of the annual vacancies should be filled by Indians?—That is so.

13947. Do you mean that one-half of the vacancies should be filled by Indians, or should be open to competition by Indians?—Open to competition by Indians, and should be filled by Indians.

13948. But not necessarily filled by Indians?—Yes. I also mean that they should be filled by Indians. Of course if there are no qualified Indians available, that is another matter.

13949. Then you go on to say, "Should, say, five candidates of Indian birth be successful at the open competition in England, then only twenty-five among the successful Indian candidates at the open competition in India would be taken in." This scheme, as I read it, would be for a separate examination, and not a simultaneous examination?—I would not advocate a separate examination. I would have a simultaneous examination, the same examination held in London and in India.

13950. That is what you say, but I want to get quite clear what you mean by your proposal. Under a system of simultaneous examination, as I understand the expression, examination would be held in India and in England, say, for 80 candidates, and the first 80 men, whether they were Europeans or whether they were Indians, would be admitted to the Service?—That is so, subject to the qualifications which I have indicated. I have also said that in the case of candidates appearing in India it should be laid down that there should be a minimum number of marks obtained.

13951. But if it is a simultaneous examination on a competitive basis, why do you require a minimum qualification?—Because I do not want it to be said that the Indians who get in as the

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result of a competitive examination in India are in any way inferior. That is the reason why I am insisting upon the fact that it would be necessary to lay down a minimum number of marks.

13952. I merely want your explanation. As I read your proposal it seems to me that it is not for a simultaneous examination such as I have alluded to, but for an examination to take place in India for Indians on a qualifying basis. Thus if our twenty-five Indians were required to make up half, that number would be obtained by examination in India?—It is a scheme for a modified simultaneous examination.

13953. But am I right in my interpretation?—Yes, to a certain extent.

13954. That is not simultaneous examination, you know?—I have not elaborated it in that way, but I can easily do it.

13955. I am trying to get from you an explanation of the scheme which you have put forward?—What I say is this, that there should be simultaneous examinations, the same examination held in London and in India, with this reservation, that half the places should be reserved for Indians.

13956. Is that what you understand by simultaneous examination? That is separate examination, is it not?—I would not call it separate examination.

13957. You say that half the number of places is to be reserved for Indians, and that their admission to the Service is to be quite irrespective of the position which they held in relation to the European candidates examined at the same time?—The question of marks would come in then.

13958. How?—Take for instance this case. Supposing 60 places are vacant, then I suggest that 30 places should be reserved for Indians. The same examination would be held in London and in India, and the candidates who came out as the result of the competitive examination in London and in India would be classified in one list, subject however to this qualification, that 80 Indians would have to be taken in. A minimum number of marks would be necessary. That has to be looked into, and if they satisfy that requirement then 30 Indians will be taken in.

13959. And the examination would be conducted by the Civil Service Commissioners?—Yes.

13960. The papers would be looked over by them and marked by them along with the papers put in in England?—Yes.

13961. Therefore, if out of your 60, 40 Europeans and only 20 Indians were successful, 10 Europeans would have to stand aside to make up the 30 Indians who would be brought in, provided they qualified?—Yes, provided they are qualified.

13962. Do you think that would be a satisfactory solution of the problem?—That is how it strikes me.

13963. Would it be satisfactory to the Europeans?—It would be satisfactory from the Indian point of view.

13964. You are desirous of seeing a strong European administration maintained?—Certainly.

13965. Do you think the adoption of a proposal of that character would tend to keep alive

a strong European administration?—I think so; it is a proportion of half and half.

13966. But do you think it would encourage best the class of Europeans to go in for the if they were to know that they might be called upon examination to stand aside?—If you increase the prospects and the pay, and improve the rules as regards removal of blocks in promotion, and so forth, I do not see why the best class of European candidates should not come forward.

13967. Even with that in front of them?—Yes.

13968. Then you say that Indians have been found fully equal to the ordinary duties of district posts and to coping with situations of special difficulty. Is that your personal experience?—No, mostly from what I have read and from what I have heard.

13969. Would that be in this Presidency?—Yes, in the Bengal Presidency.

13970. Your scheme, if it were carried out, would entail the abolition of the listed post system, would it not?—Yes.

13971. Do you think this could be done without detriment to the prospects of those officers who are in the Provincial Service?—I do not think there could be any grievance, if the British Government were generous enough to grant us the scheme I have outlined.

13972. You think that the large admission of Indians would counterbalance any grievance in that direction?—That is so.

13973. Of course your scheme would mean the immediate inclusion of half the recruits in the administration?—I do not think that could happen because you will not have for a great number of years qualified candidates. For a large number of years I do not think you could possibly have qualified candidates in India.

13974. What kind of standard would you set up?—That I would leave to the Civil Service Commissioners.

13975. Do you think it should be of so stiff a character that Indians would not be able to attempt it in the immediate future?—That is so.

13976. In answer to question (11) you recommend that Judgeships should be open to the subordinate judiciary and to the legal profession?—Yes, I do.

13977. Would you allow these posts to be filled by members of the Indian Civil Service as well?—For the present I would retain them as open to the Judicial branch of the Indian Civil Service, but that is for the present only.

13978. You mean that afterwards they would be filled exclusively from the subordinate judiciary and the legal profession?—Yes.

13979. What effect would that have on the aspirations of members of the Indian Civil Service?—They would still have a sufficient number of posts to occupy.

13980. On the executive side?—Yes.

13981. But you would exclude them from all judicial posts?—Yes, because I think the judicial posts ought to be occupied by trained lawyers.

13982. You do not agree with those who suggest that an Indian Civil Servant can be trained?—If the Judicial branch of the Indian Civil Service is to be retained, then they should be

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given an adequate training, but I would rather have judicial posts occupied by trained lawyers.

13983. Quite separate from the executive?—Quite separate from the executive.

13984. You say that generally old and feeble men have been appointed to the listed posts?—That is so.

13985. Do you think that all the officers now holding listed posts would agree with you?—I have said so quite generally. There is no doubt there are honourable exceptions, and some are present in this room.

13986. What would you say was their average age on appointment?—I am specially referring to the appointments which have been made in recent years to the posts of Assistant Judge and District and Sessions Judges, and generally men over fifty-five have been appointed in Bengal.

13987. You regard that as too old?—Yes.

13988. Then in answer to question (21) you say that you would revive the Statutory Civil Service if simultaneous examinations were not introduced?—Yes.

13989. And you would throw it open to competition?—Yes.

13990. You do not hold the view that many people hold with regard to the Statutory Civil Service?—No. I say that if the original intentions of the framers of the scheme were carried out you would have a class of men who would do credit to themselves and render very useful service to the State. I am specially referring to the speeches made in Parliament by the Duke of Argyll and the late Sir Stafford Northcote.

13991. You would have competition tempered by nomination?—I would throw it open to competition; I would have no nomination at all.

13992. In answer to question (23) you say that in default of simultaneous examinations you would suggest the establishment of not less than 50 scholarships to enable candidates to go to England?—Yes, that is a small number compared with a large country like India.

13993. Can you tell me on what principle you would allot these scholarships?—I would revive Lord Lawrence's scheme of scholarship. Lord Lawrence established nine scholarships for the whole of India, and that if I remember aright was considered rather too low a number by Sir Stafford Northcote. The Duke of Argyll, when he came into office, abolished those scholarships. I am suggesting their revival in the event of simultaneous examinations not being granted.

13994. Would you allocate so many to each province?—I would leave it to the Government of India.

13995. Would you grant a sufficient scholarship to enable an Indian to go to England for a course of three years?—Deserving Indians, Indians who have shown by their academic career that they will be able to justify the promise of their youth.

13996. How many years would you give them?—Three years.

13997. In answer to question (51) you allow for a certain amount of recruitment to the Provincial Civil Service by nomination?—Yes, for the present.

13998. What influenced you to make this suggestion?—I might explain it by a concrete case. Take the case of a very deserving officer who suddenly dies, leaving his family unprovided for. If he has left a son who is well qualified I would allow the Governor to nominate such son for such post as he might consider him to be qualified for.

13999. In answer to question (60) you recommend an increase of salaries for the Provincial Service. Have you any idea of what that would cost?—No, I have not, but I think the present salaries require revision. Having regard to the rise in prices of almost everything necessary for life I think the salaries should be increased.

14000. Right through all the grades?—Yes.

14001. (*Lord Ronaldshay*.) I want to clear up in my mind some difficulties which occur to me with regard to your scheme of recruitment for the Indian Civil Service. First of all, do you agree with the great mass of evidence which has been put before us to the effect that if an unconditional system of simultaneous examination were instituted in this country very few Indians would as a matter of fact find their way into the service for, at any rate, a great number of years to come?—I entirely agree.

14002. Very few would come out high enough in the list to obtain places in the Civil Service?—That is so.

14003. Let us now consider your scheme in the light of that opinion. Your scheme is that there are to be, for instance, 60 vacancies filled in the course of a year, and I assume from what you have just stated that you hold the opinion that very few of those vacancies would be filled by Indians. If they were drawn up in accordance with an order of merit, shall we say five Indians would come out in the first 60?—Yes.

14004. So that your examination would result in 55 Europeans and five Indians getting through?—Yes.

14005. Then according to your scheme are you going to tell 25 successful Europeans that they are not to receive the due reward of their labours?—I say that to serve one's country is the inalienable right of every subject, and no obstacle should be thrown in the way.

14006. But really that is not an answer to my question, which is this. Under your scheme would you tell the 25 successful Europeans that they were not to be selected for the service?—I do not think the candidates would understand it in that light, and besides, if they did so understand it, justice to India would require such a scheme.

14007. I am not really asking you on that point. I want to know definitely whether under your scheme it would be necessary to tell 25 successful European candidates that their services could not be availed of in the Indian Civil Service?—They would know that according to the regulations.

14008. Am I to understand that your answer to my question is Yes?—Yes, it would be necessary, because the regulations would be published.

14009. Then am I also to understand that under your scheme you would tell 25 unsuccessful

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ful Indian candidates that they were to receive the reward which ought in accordance with the order of merit to have gone to the 25 successful European candidates?—Yes, provided they obtained the minimum number of marks.

14010. Could such a scheme as that really be described as a competitive system of examination?—It is a modified competitive system, but it would be a system which would give satisfaction in India.

14011. I think you will admit it would be a very much modified competition. Although you say it will give satisfaction in India, do you think it would give satisfaction to the 25 successful European candidates?—Possibly it would not.

14012. And if it did not, what effect do you think that would have on recruitment from the best classes of European candidates in the future?—As regards the question of recruitment that would depend on many other considerations. It is said now-a-days that the Indian Civil Service is not so attractive, but if one goes into the question deeply one finds that, compared with the prospects in England the Indian Civil Service is not after all so unattractive as it is supposed to be.

14013. But would not you render it very much more unattractive if the Englishman when he went in for the examination knew that he would run the risk, although he passed high, of being told that he was not to have an appointment?—To a certain extent possibly it would be.

14014. Do you think under those circumstances you would get the best class of educated Englishman to come forward as a candidate for the Service?—I think so, if you pay them sufficiently well.

14015. Even if he knew he had to run the risk of not being appointed after he had passed his examination?—Yes.

14016. I must differ with you at once. In answer to question (11) you say you adopt entirely what has been said by Sir Ernest Trevelyan in the Law Quarterly Review, Volume 17, page 77?—Yes, I have the book here.

14017. Was there any particular recommendation that Sir Ernest Trevelyan made?—He does make one on page 81. He says there: "If the claims of the service are not strong enough to outweigh the necessity of filling these important posts with the best men available, then the proper course is to open out all the Judgeships in India to the subordinate judiciary and to the legal profession. Whatever might have been the case in old days, there is no doubt that now the supply is quite equal to the demand. The native judiciary is highly educated and well trained. Moreover, except in very isolated cases, they are now free from the charges which used to be made against them, namely, of being wanting in impartiality and judicial purity. The greater number of important civil cases are now tried by Native Subordinate Judges, and the reports of the decisions of the Judicial Committee of the Privy Council show that frequently the opinion of a single Subordinate Judge is preferred to that of the Judges of the High Courts sitting in appeal for him." Then he says: "The Indian Civilian have always con-

tended that an English barrister is from ignorance of the language and customs of the country incompetent for judicial work in the districts." Then he says: "Moreover the selection need not be made entirely from the subordinate judiciary. There is now in India a large and well-educated Bar consisting not only of barristers, both English and Native, called to the Bar in England, but also of pleaders who practise in the High Courts and in the Courts in the districts, and who are required to pass severe examinations, and in some cases to undergo an apprenticeship before being enrolled." There is therefore now no justification for closing the door to these persons.

14018. You agree that the Judicial Service should be recruited from the Bar in India and from the judicial side of the Provincial Civil Service?—Yes, from the Judicial branch of the Provincial Civil Service.

14019. And from the Indian Bar?—Yes.

14020. But you would exclude all Civilians from posts such as District Judges?—Not at present. I may just mention that that is the identical scheme which was also recommended by the late Sir James FitzJames Stephen and also by Sir William Markby.

14021. (*Sir Theodore Morison*) With regard to your answer to question (11), you said to Lord Ronaldshay you would recruit from the Indian Bar and from the Provincial Judicial Service. Do you think it desirable to have a certain English element in your Judicial Service or not?—Certainly.

14022. How would you get that?—It would afford an inducement to a larger number of English barristers to come out to this country and practise here if they knew they could rise to such posts as District and Sessions Judges and eventually to the High Court.

14023. By the Indian Bar am I to understand you mean Indians and Englishmen practising here?—Yes, and also vakils of the various High Courts in India.

14024. Mr. Sinha recommended to us a scheme somewhat similar to this of yours, only he urged it as an alternative if his first proposal was not accepted?—His first proposal, if I remember aright, was the training of members?

14025. It was a system of one-third by examination. If that was not accepted he said he would urge the Commission to consider this as a second alternative. Do you put this forward as an alternative or as part and parcel of the other scheme?—As part and parcel of the other scheme.

14026. But then you have reduced the English element by a half by your proposal?—Yes.

14027. And that is only half the executive?—Yes.

14028. And the number of the judicial will be also very considerably diminished by this other proposal of yours?—Yes.

14029. Therefore the total number will be reduced very largely indeed?—You would have a large European element if this scheme, which I have outlined in my answer to question (11), is carried out.

14030. How?—You would have European barristers practising in the various High Courts to select from, and that is a large field.

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14031. Is it very large?—Not in Calcutta.

14032. It was not very much in Madras?—I do not know about Madras, but in Bombay it is larger.

14033. With regard to the scholarships which you recommend, I think you said there should be 50 of them?—Yes.

14034. Does that mean 50 a year?—Yes, 50 a year.

14035. That is 150 scholarship-holders in England at the same time?—Yes, 50 a year tenable for three years.

14036. So that the total number is 150?—That is so.

14037. (*Mr. Chaudh.*) With regard to the separation of the judicial and the executive functions, it is not necessarily connected with any scheme for any examination, is it?—No; that scheme has been sanctioned by the Secretary of State.

14038. The separation of the two functions is quite an independent question?—Yes.

14039. I see that in your answer to question (57) you suggest the complete separation of the judicial and executive functions in the Provincial Civil Service?—I do.

14040. Is there anything which prevents the same separation in the higher service?—There is nothing that I am aware of.

14041. Do you advocate the same separation of the judicial and executive in the higher Service?—I do.

14042. Then for the higher Civil Service, assuming for a moment that simultaneous examinations are not granted and that the present state of things continues, is there anything which would come in the way of recruiting the whole Judicial Service from ready material, either from the Bar or from the pleaders, or from the Provincial Service?—There is nothing that I am aware of.

14043. It seems to me there are one or two difficulties in the way. In the first place there would be a certain proportion of barristers to be fixed?—Yes.

14044. There could be only a certain proportion of barristers which that scheme would include?—Yes.

14045. Do you think there will be any difficulty in obtaining the necessary men from the Bar for the purpose of manning this higher Judicial Service?—I do not think there will be.

14046. Do you think that in these men who have practised at the Bar there will be a want of administrative experience such as Collectors and Assistant Collectors have in the Revenue branch, and that that would interfere with the proper execution of their judicial duties?—I should not think it would; they could easily pick up that administrative experience.

14047. Do you think there is any objection to the Munsifs and the Subordinate Judges being invested with criminal jurisdiction?—I do not think there is.

14048. Do you think that the Executive officers who at present perform these judicial functions would in any way be hampered or handicapped by magisterial powers being taken from them and handed over?—No, I do not think so.

14049. (*Mr. Gokhale.*) I confess I had somewhat misunderstood your scheme, or rather I had understood it differently from what your answers just now in reply to questions from the Chair indicate it to be. I fear there are rather serious obstacles in the way of your scheme being adopted. Lord Ronaldshay has pointed out one, namely, the serious dissatisfaction which would be caused among Englishmen that were rejected when their marks were higher than those of Indians who were taken, but there are two other objections which I want to point out. Do you know that there would be a statutory objection to this course being adopted, because under the Act of 1858 appointments must be in the order of merit? Therefore you will first have to amend the statute?—I would rather have it amended.

14050. You would, under your scheme, first of all take 30 Englishmen and as many Indians as passed in London, and then you would take the necessary number from India to make up the remaining 30?—That is so.

14051. Provided that they got marks above a certain qualifying minimum. But supposing the necessary number does not pass, that the necessary number in India above that qualifying minimum is not available, what is to happen?—Then the posts will be all filled up by Europeans.

14052. That year or next year?—That year. If the necessary number is not forthcoming, and if the vacancies have to be filled up, then European candidates would be taken in.

14053. That makes it very much a matter of chance as to how many vacancies would fall in any particular year to the English candidates, does it not?—No doubt.

14054. That would be an additional source of dissatisfaction. Do not you think it would be better to hold the same examination twice in the year, once in London for 30 or 40 vacancies, taking as many Englishmen and as many Indians as come in, and again in India under the authority of the Civil Service Commissioners for the rest?—If the examination in India is held under the authority of the Civil Service Commissioners, I would prefer that to my scheme.

14055. Under their authority and exactly of the same difficulty?—Certainly.

14056. Then you get over the statutory difficulty?—Yes.

14057. There would not be two lists at one and the same time?—No.

14058. The number of vacancies thrown open to Englishmen would be definite and the supplementary list would be drawn up in India if the required number is available?—Yes.

14059. If the required number is not available, the deficiency would be added next year to the number of vacancies offered to the candidates in England?—Yes.

14060. Do you think that would be a better scheme than yours?—Yes.

14061. (*Mr. Stry.*) Do you mind telling us about your own educational career?—I have been a vakil of the Calcutta High Court for eight years, and I have been a member of the English Bar for the last six years; so that altogether I have been in the legal profession for 14 years.

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14062. What age were you when you went to England?—I went in April 1906 when I was 31 years of age.

14063. Dealing with this question of the examination, you tell us: "I do not think a competitive examination would exclude the Muhammadan or other races similarly situated. Education has made great strides among the Muhammadans since 1893, and at the present moment, thanks to the impetus given by the educational movement among the Muhammadans, there are numbers of educated Muhammadans who are generally able to hold their own against their Hindu or English competitors." When we look at the list of successful candidates who have come out in the Indian Civil Service for the past ten years, we find that only two Muhammadans have been successful, and that one of those was a Bengali Muhammadan and the other a resident of Bombay; so that as a matter of fact instead of improving their position in the Indian Civil Service in the last ten years the Muhammadans have gone backwards?—I do not think they have had sufficient opportunities of presenting themselves at the open competition in London.

14064. They have had the same opportunities as the other Indians, have they not?—As regards the other Indians it really depends upon accidental advantages, possessing means of going to London and staying there for a number of years, and spending about £1,000.

14065. You think the Muhammadans have been held back more by want of means than anything else?—Yes.

14066. Looking at the same list, there is not a single resident of the Punjab or of Central India or of Rajputana amongst the whole of the successful candidates?—Within the last few years very great progress has been made in the Punjab and there is no knowing whether there will not be candidates in the near future from the Punjab.

14067. As a matter of fact, in the last ten years there have been none?—That is so.

14068. You have been questioned as to whether your scheme of examinations would not reduce the attractions of the Indian Civil Service; do not you think also that if your scheme of a Judicial branch, separately recruited in India from the Indian Bar, were adopted, that would also greatly reduce the attractions of the Indian Civil Service?—To a certain extent it would.

14069. Do you think we are likely to get such good men for the Indian Civil Service if we not only treat them as you suggest under the examination but also take away the whole of the Judicial Service from them?—I think you would get a sufficient number of really first-class men.

14070. You wish to recruit the European element you desire to see in the service solely from European barristers practising in India?—Yes, and also from barristers who may be selected from those practising in London.

14071. You would also admit some selection from barristers practising in London?—Yes.

14072. And you would recruit these for District Judges?—I would first post them as Assistant Judges and then after they had had

experience transfer them to Sessions and District Judgeships.

14073. From your experience of work at the Indian Bar and from what you have heard about the English Bar, do you think any barrister, except he was an absolute failure in life, would ever consent to accept an appointment such as the Assistant Judgeship you suggest?—If an Assistant Judge-ship is offered with a prospect of their being able to rise to the position of a District Judge as well as a High Court Judge, I think it would attract capable men.

14074. You know what the pay of the District Judges is; do you think that anybody but a comparative failure would accept such a prospect?—I think under the present conditions capable men could be had at that salary.

14075. A capable European barrister successfully practising in England would be willing to accept the post of a District Judgeship?—It depends on what you mean by successful practice. If a rising junior is influenced by other considerations, then he would accept such an appointment.

14076. A rising European junior with good prospects before him would accept a District Judgeship?—Yes, if he cannot stay on or for some such reason.

14077. Do you think a European barrister practising in the Presidency towns would thereby acquire a sufficient knowledge of Indian life and conditions satisfactorily to fill the post of an Assistant Judge in the mufassal?—I think so.

14078. Then you were asked some question about the administrative duties of Judges. Do you know who carries out the administrative duties in the High Court?—Yes.

14079. Is it not always given to a Civilian Judge?—There are two instances in which it has been given to Judges who were not civilians.

14080. When were those instances?—One was Sir Ramesh Chander Mitter, who was in charge of the department for a number of years, and for a short period Sir C. M. Ghose was also in charge.

14081. In answer to question (16) you have suggested certain changes in the syllabus of subjects for examination, and I notice you have not recommended the inclusion of any Indian vernacular. Did you deliberately exclude them, or not?—I have not deliberately excluded them, but I have not bestowed much thought on them.

14082. Then as an alternative you have recommended the revival of the Statutory Service. We have had a lot of evidence to the effect that any method of recruitment that may be adopted in India short of simultaneous examination will have what is termed a badge of inferiority upon the candidates selected in India, a badge which they will resent very greatly and which will impede their efficiency in the service. In regard to this recommendation of yours for a revival of the Statutory Service, do you think that if they are given the same pay, leave and pension, and the same promotion list, and everything of that sort, there will be a badge of inferiority or not?—If the Statutory Civil Servants who are to be appointed according to my scheme are

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appointed members of the Covenanted Civil Service in accordance with the Statute of 1870, I think there would be no badge of inferiority whatsoever.

14083. (*Mr. Macdonald.*) In reply to question (3) you say that the present system of examination is a most grievous hardship on Indians. Would you tell us what you mean by a grievous hardship?—At present we have to send our sons miles and miles away from India and the prizes are few and the blanks are numerous, and it excludes all but an infinitesimal portion of Indians, while those whom it admits must possess the purely accidental advantages of means and opportunities for going to London on the mere off-chance of success.

14084. It is a hardship on Indians who desire to enter the Service, you mean?—Yes.

14085. I did not know whether you meant that it was a grievous hardship on the general community of Indians; but you mean only those who want to enter the service?—Yes.

14086. You refer to the irreducible minimum. You have heard here, have you not, that there is very grave danger that the Europeans may be swamped by Indians?—I have heard that.

14087. Do you know what the tendency is at the moment? Have you taken the trouble to look into the figures as to the relative strength of the European section of the cadre and the Indian section of the cadre?—At present according to the combined Civil List for the whole of India, corrected up to 31st October 1912, out of 1,314 Indian Civil Service men there are only 58 Indians; and according to the figures published in the Government book on the 1st April, there were 1,243 Europeans and 59 Indians.

14088. So that, as a matter of fact, the relative strength of the Indians in the Indian Civil Service cadre is going down?—It is going down.

14089. Do you think it will keep unfairly low so long as the examination is held in England alone?—I think so.

14090. But you say that if you have simultaneous examinations here, in the pure sense of the term, it will not be very materially increased?—Not for a great number of years.

14091. There is a point of your scheme which I am not quite clear about; I understand you insist very strongly upon the similarity of test?—Yes.

14092. That the examination papers must be equally hard whether you carry out your own scheme or accept the proposal made by Mr. Gokhale?—Yes.

14093. The examination papers must be of the same stiffness?—Yes.

14094. I have a difficulty there and I should like you to help me with regard to it. An examination can be unequal in one of two different ways: the standards set can be high in one case and low in the other—that is a very apparent form of inequality; also you can have an unequal standard by imposing precisely the same standard of examination so far as the papers are concerned, but allowing one body of candidates to pass in on a lower average number of marks than the other class of candidates. That is unequal also, is it not?—Yes.

14095. Is not your scheme as amended by Mr. Gokhale an unequal one in the second sense of the term?—Possibly from a theoretical point of view it can be described as unequal, but I would have the standard for Indians such as would be considered sufficient by the Civil Service Commissioners for the European candidates.

14096. Would you allow the Civil Service Commissioners to say that in view of the education in England a certain standard should be imposed upon English candidates, but in view of the education in India there should be a lower standard for Indian candidates, but relatively equally stiff?—No, I would not do that.

14097. You would say that when the Civil Service Commissioners have imposed a standard for England they must impose the same standard for India?—Yes.

14098. But the English successful average may be 5,000 marks while the Indian successful average is 3,000 marks?—The Indian successful average must satisfy the English successful average.

14099. How?—If the English successful average is 5,000 marks, then before an Indian can be considered to be qualified he must satisfy the English successful average.

14100. Then you got no reserve of places?—If they cannot satisfy that standard they have no grievance whatsoever.

14101. Do you mean that the qualifying standard will not be a real qualifying standard but something equivalent to the competitive standard in England?—It would be equivalent to the competitive standard in England.

14102. But then if you admit that by pure simultaneous examination very few Indians will get in, is it not rather imposing upon your fellow-countrymen to say that you are going to give them 30 places and put such impediments in their way of getting into the places that none of them would get in?—I would remove the obstacles which at present prevent them offering themselves at the open competition, and if after the removal of those obstacles they are not able to take advantage of the opportunities provided for them, they have only themselves to blame.

14103. Do you really suggest that your qualifying standard for Indian candidates will be so high that it will be the standard which successful English candidates have to attain?—Precisely.

14104. You referred to the evidence of Mr. Reynolds with reference to the work of Indian officers in the Indian Civil Service, but I understand that Mr. Reynolds was not the only European officer who bore that testimony, was he?—No, he was not the only European officer, but I have only had regard to Mr. Reynolds' testimony, because he was for a great number of years Chief Secretary to the Government of Bengal.

14105. And he was also a Member of the Board of Revenue, was he not?—He became later on a Member of the Board of Revenue.

14106. But there were others?—Yes, there was Mr. W. H. Grimley, who was also in the Board of Revenue, and Sir Henry Prinsep, who was for a great number of years Judge in the Calcutta High Court.

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14107. Did not the Bengal Government give any evidence on that point?—Yes, the question was: "What has been the experience in your Province, in regard to their work as public servants, of natives who have entered the Covenanted Civil Service through the competitive channel in England?" And the answer was: "On the whole decidedly favourable."

14108. Do you think that the Indian Members of the Civil Service have deteriorated since 1886?—I do not think so.

14109. Have you heard it alleged that it has?—I have seen the allegation in certain newspapers in India, but I have not seen it in any State document. The Public Service Commission also in paragraph 61 of their report expressed the same opinion which the Bengal Government expressed.

14110. (*Mr. Madge.*) Do you travel much over the country apart from head-quarters station?—Yes, I have been to Madras and Bombay and have travelled a good bit in the North-West.

14111. I do not mean in one Presidency as against another, but in capital cities and head-quarters stations as against rural areas?—I have not travelled much over rural areas.

14112. Have you had any means of coming across the real wishes and desires, not only of the ignorant masses, but of people generally as distinguished from the classes in head-quarters and chief cities?—Yes, I have had opportunities of coming in contact with people who have not been residents of the Presidency towns.

14113. In fairly large numbers?—Yes.

14114. So that we may take it that your views are based not only upon the claims of any small particular class, but upon what you fairly consider the wishes of the people of the country generally?—You may.

14115. You think it desirable to maintain a British tone in the administration, at least for any period that we need take into account now?—Certainly, that is what I have said.

14116. Do you think that is effected by retaining a minimum number of appointments?—Yes.

14117. And you make it half and half?—Yes.

14118. Do you think that that tone is maintained mainly by the personality of the officers or by the perfection of the machinery?—It is maintained in both ways. No doubt it depends to a considerable extent on the personality of the officer, but as regards the Indians whom I have in view, they would be so imbued with the British spirit that possibly they would be more British than the British themselves.

14119. Supposing the machinery were defective, would you look to the personality of officers to correct it, and supposing the personality of the officers was defective, would you expect the machinery to correct it?—No, I would not expect the machinery to correct it if the personality was deficient.

14120. But if the machinery were defective you would trust the personality to correct it?—Certainly.

14121. In your answer to questions 5) to 7) you talk of levelling up the country so that it may be ultimately possible to entrust Indians

with a real measure of self-government within the empire. Levelling up the country to my mind seems rather an abstraction, and I should be glad if you could translate it into concrete quantities. What do you mean by levelling up the country?—By raising India to that level when it would be possible for the British people to say "We have done our work, and we can entrust Indians with a real measure of self-government."

14122. Do you mean the educated classes of the country, or the whole country?—The whole country.

14123. When you say that it may be ultimately possible to entrust Indians with a real measure of self-government within the empire, does it not seem to be an inference that the country at the present day has not levelled up to that standard?—That is so.

14124. And yet you purpose dividing the higher appointments half and half?—Yes.

14125. Unless I have been mistaken in what I have heard, I am afraid some difficulty will remain in your scheme even as modified by Mr. Gokhale. Your scheme would give appointments to Indians who, though they secured the allotted minimum of marks, had secured marks lower than those of the European candidates in the immediately preceding examination?—Yes.

14126. Do you think that is just?—The minimum that I should like to see laid down would be the average of successful European candidates at the open competition in London.

14127. The previous competition?—Yes.

14128. But the value of an average depends upon the quantities that are thrown together being somewhat near each other. Supposing there is one very different from another; an average quantity is fictitious and does not represent a proper average?—It gives a working rule.

14129. Examinations take place because a certain number of vacancies are declared to require filling. According to your scheme, even as modified by Mr. Gokhale, a certain number of appointments having been declared to be vacant a certain number of Englishmen go up for an examination and pass, or they do not pass, and even if they do pass in sufficient numbers your next Indian examination will not according to you give the full number that you expect—half the number of the vacancies?—As I understand the amendment suggested by Mr. Gokhale, if there are 60 appointments 20 would be reserved for the open competition in London.

14130. Indians and Englishmen?—Yes; and if five Indians get in there then 25 only would have a chance of getting in at the next examination which it is proposed should be held in India, and this examination will have to be open to all natural-born subjects of His Majesty.

14131. But you do not expect any improvement from simultaneous examinations in the country at first. Supposing the number you want to reserve for Indians is 20, and you have 60 successful candidates for Indian appointments, how would you fill the 40 left?—That would be entirely a matter of detail.

14132. But there would be a certain number of dates?—There would be other candidates.

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[continued.]

appointed members of the Covenanted Civil Service in accordance with the Statute of 1870, I think there would be no badge of inferiority whatsoever.

14083. (*Mr. Macdonald.*) In reply to question (3) you say that the present system of examination is a most grievous hardship on Indians. Would you tell us what you mean by a grievous hardship?—At present we have to send our sons miles and miles away from India and the prizes are few and the blanks are numerous, and it excludes all but an infinitesimal portion of Indians, while those whom it admits must possess the purely accidental advantages of means and opportunities for going to London on the mere off-chance of success.

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14085. I did not know whether you meant that it was a grievous hardship on the general community of Indians; but you mean only those who want to enter the service?—Yes.

14086. You refer to the irreducible minimum. You have heard here, have you not, that there is very grave danger that the Europeans may be swamped by Indians?—I have heard that.

14087. Do you know what the tendency is at the moment? Have you taken the trouble to look into the figures as to the relative strength of the European section of the cadre and the Indian section of the cadre?—At present according to the combined Civil List for the whole of India, corrected up to 31st October 1912, out of 1,314 Indian Civil Service men there are only 58 Indians; and according to the figures published in the Government book on the 1st April, there were 1,243 Europeans and 59 Indians.

14088. So that, as a matter of fact, the relative strength of the Indians in the Indian Civil Service cadre is going down?—It is going down.

14089. Do you think it will keep unfairly low so long as the examination is held in England alone?—I think so.

14090. But you say that if you have simultaneous examinations here, in the pure sense of the term, it will not be very materially increased?—Not for a great number of years.

14091. There is a point of your scheme which I am not quite clear about; I understand you insist very strongly upon the similarity of test?—Yes.

14092. That the examination papers must be equally hard whether you carry out your own scheme or accept the proposal made by Mr. Gokhale?—Yes.

14093. The examination papers must be of the same stiffness?—Yes.

14094. I have a difficulty there and I should like you to help me with regard to it. An examination can be unequal in one of two different ways: the standards set can be high in one case and low in the other—that is a very apparent form of inequality; also you can have an unequal standard by imposing precisely the same standard of examination so far as the papers are concerned, but allowing one body of candidates to pass in on a lower average number of marks than the other class of candidates. That is unequal also, is it not?—Yes.

14095. Is not your scheme as amended by Mr. Gokhale an unequal one in the second sense of the term?—Possibly from a theoretical point of view it can be described as unequal, but I would have the standard for Indians such as would be considered sufficient by the Civil Service Commissioners for the European candidates.

14096. Would you allow the Civil Service Commissioners to say that in view of the education in England a certain standard should be imposed upon English candidates, but in view of the education in India there should be a lower standard for Indian candidates, but relatively equally stiff?—No, I would not do that.

14097. You would say that when the Civil Service Commissioners have imposed a standard for England they must impose the same standard for India?—Yes.

14098. But the English successful average may be 5,000 marks while the Indian successful average is 3,000 marks?—The Indian successful average must satisfy the English successful average.

14099. How?—If the English successful average is 5,000 marks, then before an Indian can be considered to be qualified he must satisfy the English successful average.

14100. Then you get no reserve of places?—If they cannot satisfy that standard they have no grievance whatsoever.

14101. Do you mean that the qualifying standard will not be a real qualifying standard but something equivalent to the competitive standard in England?—It would be equivalent to the competitive standard in England.

14102. But then if you admit that by pure simultaneous examination very few Indians will get in, is it not rather imposing upon your fellow-countrymen to say that you are going to give them 30 places and put such impediments in their way of getting into the places that none of them would get in?—I would remove the obstacles which at present prevent them offering themselves at the open competition, and if after the removal of those obstacles they are not able to take advantage of the opportunities provided for them, they have only themselves to blame.

14103. Do you really suggest that your qualifying standard for Indian candidates will be so high that it will be the standard which successful English candidates have to attain?—Precisely.

14104. You referred to the evidence of Mr. Reynolds with reference to the work of Indian officers in the Indian Civil Service, but I understand that Mr. Reynolds was not the only European officer who bore that testimony, was he?—No, he was not the only European officer, but I have only had regard to Mr. Reynolds' testimony, because he was for a great number of years Chief Secretary to the Government of Bengal.

14105. And he was also a Member of the Board of Revenue, was he not?—He became later on a Member of the Board of Revenue.

14106. But there were others?—Yes, there was Mr. W. H. Grimley, who was also in the Board of Revenue, and Sir Henry Prinsep, who was for a great number of years Judge in the Calcutta High Court.

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14107. Did not the Bengal Government give any evidence on that point?—Yes, the question was: “What has been the experience in your Province, in regard to their work as public servants, of natives who have entered the Covenanted Civil Service through the competitive channel in England?” And the answer was: “On the whole decidedly favourable.”

14108. Do you think that the Indian Members of the Civil Service have deteriorated since 1886?—I do not think so.

14109. Have you heard it alleged that it has?—I have seen the allegation in certain newspapers in India, but I have not seen it in any State document. The Public Service Commission also in paragraph 61 of their report expressed the same opinion which the Bengal Government expressed.

14110. (*Mr. Madge.*) Do you travel much over the country apart from head-quarters station?—Yes, I have been to Madras and Bombay and have travelled a good bit in the North-West.

14111. I do not mean in one Presidency as against another, but in capital cities and head-quarters stations as against rural areas?—I have not travelled much over rural areas.

14112. Have you had any means of coming across the real wishes and desires, not only of the ignorant masses, but of people generally as distinguished from the classes in head-quarters and chief cities?—Yes, I have had opportunities of coming in contact with people who have not been residents of the Presidency towns.

14113. In fairly large numbers?—Yes.

14114. So that we may take it that your views are based not only upon the claims of any small particular class, but upon what you fairly consider the wishes of the people of the country generally?—You may.

14115. You think it desirable to maintain a British tone in the administration, at least for any period that we need take into account now?—Certainly, that is what I have said.

14116. Do you think that is effected by retaining a minimum number of appointments?—Yes.

14117. And you make it half and half?—Yes.

14118. Do you think that that tone is maintained mainly by the personality of the officers or by the perfection of the machinery?—It is maintained in both ways. No doubt it depends to a considerable extent on the personality of the officer, but as regards the Indians whom I have in view, they would be so imbued with the British spirit that possibly they would be more British than the British themselves.

14119. Supposing the machinery were defective, would you look to the personality of officers to correct it, and supposing the personality of the officers was defective, would you expect the machinery to correct it?—No, I would not expect the machinery to correct it if the personality was deficient.

14120. But if the machinery were defective you would trust the personality to correct it?—Certainly.

14121. In your answer to questions (5) to (7) you talk of levelling up the country so that it may be ultimately possible to entrust Indians

with a real measure of self-government within the empire. Levelling up the country to my mind seems rather an abstraction, and I should be glad if you could translate it into concrete quantities. What do you mean by levelling up the country?—By raising India to that level when it would be possible for the British people to say “We have done our work, and we can entrust Indians with a real measure of self-government”

14122. Do you mean the educated classes of the country, or the whole country?—The whole country.

14123. When you say that it may be ultimately possible to entrust Indians with a real measure of self-government within the empire, does it not seem to be an inference that the country at the present day has not levelled up to that standard?—That is so.

14124. And yet you purpose dividing the higher appointments half and half?—Yes.

14125. Unless I have been mistaken in what I have heard, I am afraid some difficulty will remain in your scheme even as modified by Mr. Gokhale. Your scheme would give appointments to Indians who, though they secured the allotted minimum of marks, had secured marks lower than those of the European candidates in the immediately preceding examination?—Yes.

14126. Do you think that is just?—The minimum that I should like to see laid down would be the average of successful European candidates at the open competition in London.

14127. The previous competition?—Yes.

14128. But the value of an average depends upon the quantities that are thrown together being somewhat near each other. Supposing there is one very different from another; an average quantity is fictitious and does not represent a proper average?—It gives a working rule.

14129. Examinations take place because a certain number of vacancies are declared to require filling. According to your scheme, even as modified by Mr. Gokhale, a certain number of appointments having been declared to be vacant a certain number of Englishmen go up for an examination and pass, or they do not pass, and even if they do pass in sufficient numbers your next Indian examination will not according to you give the full number that you expect—half the number of the vacancies?—As I understand the amendment suggested by Mr. Gokhale, if there are 60 appointments 30 would be reserved for the open competition in London.

14130. Indians and Englishmen?—Yes; and if five Indians get in there then 25 only would have a chance of getting in at the next examination which it is proposed should be held in India, and this examination in India would be open to all natural-born subjects of His Majesty.

14131. But you do not expect any large results from simultaneous examinations in this country at first. Supposing the number you want to reserve for Indians does not come up or a sufficient number of Indians do not pass, how would you fill the vacancies?—They would be filled by other candidates.

14132. But there would be no more candidates?—There would be other candidates,

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because I said the examination in India would be open to all the natural-born subjects of His Majesty. There would be a good number from the domiciled community.

14133. Do you assume there would be a number sufficient to fill up the vacancies?—There would be a good number.

14134. But it is quite possible there may not be, and then what would the Government do with the vacancies which they wanted to fill in any particular year?—They could easily have an examination in London to obviate that difficulty, but that difficulty would be rather rare.

14135. That examination would be in the following year?—Yes.

14136. The difficulty is that the number of vacancies is declared for a particular year and the filling up of them according to your scheme would depend on examinations coming a long while after. What is to be done with those vacancies? You have to bear in mind the extra men that are kept on hand in case of contingencies?—As I understand the scheme that is now in operation, if 60 vacancies are notified in London that does not mean 60 actual vacancies. There are a sufficient number to fill up gaps or to supply officers for some special work that has to be done, and those could be drawn upon.

14137. Certain vacancies having been declared and your examinations not producing a sufficient number, there remains over a certain number of vacancies to be filled up in a year still further off?—But that difficulty can be overcome by having a supplementary examination in London, not necessarily in the following year. The vacancies have to be filled up and it would not be just to expect the Secretary of State to wait for another year; he could have a supplementary examination three months afterwards.

14138. Is not a long notice considered necessary before an examination takes place?—No doubt, but there are always a large number of candidates in London.

14139. It might prove satisfactory or it might not, and for the Government and the country there is a risk about it, is there not?—I do not think the risk would be occurring frequently.

14140. With regard to the question of the separation of the judicial from the executive, do you think that a lawyer appointed to a Sessions Judgeship would be wanting in a kind of experience of the country and the people that is useful to a Civilian Judge?—That used to be the case in 1862 or in the seventies, but it is not the case now. There are a very large number of European barristers and other barristers who are perfectly acquainted with the ways and languages of the country.

14141. The administration of justice seems to me to mean a great deal more than literary interpretation of law. For instance, a District Officer goes travelling about his District and sometimes, quite illegally, remedies little wrongs, which if he did not remedy would gradually find their way to the courts and create a good deal of bad blood and cause expense and one thing and another. A Civilian who has passed the early portion of his career as a District

officer picks up experience of that kind, and knowledge of the country and the people, which would be wholly wanting in a man appointed direct from the Bar without that experience?—I do not know that it would be wholly wanting.

14142. (Mr. Abdur Rahim.) What is the opinion in the profession regarding the efficiency of the Provincial Service (Judicial branch)?—The general impression is that the members discharged their duties fairly satisfactorily.

14143. How does the judicial work of the Provincial Service compare with the judicial work of the Indian Civil Service?—The judicial work of the Judicial branch of the Provincial Service compares very favourably with the judicial work of the Indian Civil Service.

14144. Would you be prepared to say it is better done?—Certainly it is better done.

14145. You know that the Indian Civil Service is recruited by open competition, both the Executive and the Judicial branch, and that the Provincial Civil Service is entirely recruited by nomination made by the High Court, the appointments being made by the Government on the recommendation of the High Court?—Yes.

14146. I understand you are strongly in favour of competitive examination as a means of selection?—Yes.

14147. Has it struck you that it is a curious fact that the Indian Civil Service, recruited by open competition, does not turn out better judicial work than the Provincial Civil Service, which is recruited by selection?—That is due to the fact that the average Indian Civil Servant who elects for the Judicial branch of the service has not had an opportunity of receiving that training which the members of the Judicial branch of the Provincial Service get.

14148. Then you would say that training is a better test than open competitive examination?—I would have no nomination; I prefer competition: but I am prepared to go so far as to say that training is certainly better.

14149. You would be prepared to recommend open competitive examination for recruiting the Provincial Service, the Munsifs?—Yes.

14150. Has any such suggestion been made yet?—I do not know whether it has been made or not, but there should be an examination for recruiting the judicial branch of the Provincial Service from pleaders and vakils of, say, three years' standing.

14151. You would have them undergo a competitive examination?—Yes.

14152. Although under the present system they have been turning out very efficient work to everybody's satisfaction. Do you not think such a change might be risky?—It is to their credit that they are carrying on the duties satisfactorily, but I would not have any patronage.

14153. (Sir Valentine Chirol.) You said in answer to Mr. Macdonald that you consider it a very real hardship that many young Indians are deprived of the opportunity of entering the Indian Civil Service by having to go to England?—I said it was a great hardship to be compelled to go to England on the mere chance of success.

14154. Do you think there has been a considerable number of young Indians thus injuriously affected?—Yes.

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14155. And that if the examination is conducted simultaneously in India those young Indians would be able to get into the Indian Civil Service?—They would have an opportunity of appearing at the open competition, and then they should be made to go to England to undergo a period of probation, and they would have to pass the final examination in England.

14156. But you do not think that a considerable number of those who are placed in the difficulty of having to go to England now could pass the examination, even if it were held in India?—If they got the same training which they at present get in England, that is to say, if it were possible to get in India the same amount of education and training which under present conditions they obtain in England, then they might.

14157. Do you think it is likely they will get that same amount of training?—I think it is unlikely for a great number of years.

14158. The inference I draw from that is that you wish to create opportunities for young Indians to enter the Civil Service through the door of examination in India by an educational standard which will be lower than that of the young Indians who have to go to England?—I want to create opportunities for Indians, but they have to satisfy the same educational standard as is declared by the Civil Service Commissioners in London.

14159. But if they have to satisfy those standards they will not be able to get in in India under your scheme any more than at present?—Attempts would be made to provide the same standard of education and the same standard of training in India.

14160. I quite understand that; but you have told us it will take a very long time for these opportunities to be created?—It will.

14161. In the meantime very few Indians will be able to satisfy the standard in this country which you admit will have to be set up by the Civil Service Commissioners?—That is so; in the meantime very few Indians will do so.

14162. Then your scheme to admit every year into the Indian Civil Service a certain number of Indians by holding the examinations here is not a practical scheme, as it will not admit them?—It will not admit them for a great number of years, but it would mean to them that the British Government had generously removed all the obstacles.

14163. Do you really think it will give satisfaction in this country if it is announced every year that 30, 40 or 50 posts are open for candidates for the Indian Civil Service to go up for an examination in India, and that every year it is announced as a result that only a very small proportion of those candidates have been successful and that they will not get into the Indian Civil Service?—It would give entire satisfaction even on those conditions.

14164. Do not you think it would be followed very quickly by a demand for lowering the standard for examination?—That demand would have to be resisted, but I do not anticipate any such demand will be made.

14165. Are you aware that only two or three days ago in a leading paper of this city, a paper which is supposed to represent the educated

classes in this country, there was a suggestion that the examiners would have to be partly Indians and partly English, and that a far larger number of marks would have to be given for the vernaculars and other subjects easier for the Indian to learn in order to bring about that equality?—I strongly disapprove of those suggestions.

14166. I gather from the tone of your evidence that you disapprove, but do not you think it is very likely that those arguments will be used by a considerable section of Indians?—Those arguments may be used by a very small proportion of what are called the extremists, but not by the great body of responsible educated moderate opinion.

14167. Would you call the *Amrita Bazar Patrika* representative of the extremists?—No, but I certainly do not approve of these suggestions.

14168. Under your scheme you contemplate English barristers practising in India and being brought into the Judicial Service. Do you think that English barristers are likely to find the conditions out here very favourable for practising?—I can speak of the Calcutta High Court. At one time we had a very large number of English barristers, but at the present moment the number is very limited. It would be to the entire advantage of India if we had a large number of European barristers coming out.

14169. With the growth of the Indian Bar may not one assume that Indian barristers, like most professional men, will regard all competitors from outside as superfluous?—It would be a question of the survival of the fittest.

14170. Have you heard of cases in which Indian barristers have returned a brief when an English junior counsel was associated with them and asked to have an Indian junior instead of a European one?—I have never heard of such a case in the Calcutta High Court, and I should be very sorry to think that such a case has happened anywhere in India.

14171. (*Sir Murray Hammick.*) With reference to this question of reducing the standard of examinations, is it not a fact that you suggest oriental classical languages should have a larger number of marks in order to give the candidates in India a better chance?—I have suggested that, but I was going to add that if the Civil Service Commissioners think that ought not to be done, then I would submit to their opinion.

14172. With regard to the scheme of Mr. Gokhale which you have adopted in place of your own, would you exclude Europeans from this examination in India or allow Europeans to come from London to appear at it?—I would not exclude Europeans from offering themselves at the examination in India.

14173. You would allow Europeans to come?—Certainly.

14174. That would open a much wider door apparently to the Europeans in England, who could come out here and have a much better chance of getting into the Indian Civil Service than by an examination in England?—As I am always thinking of the same standard being laid down for the examinations in London and

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in India, I do not think that that would be the result.

14175. But I thought you said that you had only a minimum number of marks which a man must obtain in India to get into the service, and that the Indians for many years would not obtain that minimum? Is it not extremely likely that the European would have a greater facility in obtaining the minimum here, which will be lower than the marks which would enable him to pass the examination in England?—The minimum would have to be sufficiently high; it would represent the average marks in London.

14176. But the Europeans who pass in London will have to get more than that minimum, and therefore it would be considerably easier for a European to pass in this country than to pass in London?—I do not quite follow that.

14177. In England it is pure competition, but in India I understand you are going to fix a number of marks, and any candidate who gets over that number of marks will get in provided that the number does not exceed the moiety which you propose to open to competition here. You say that the Indian will not succeed in getting that moiety for many years, or very few of them will. Therefore the Englishman who comes to India will have a much better chance of getting through the modified competition here than he would in London?—That may be, but if it represents the minimum point of efficiency then there is no harm.

14178. To fill up the judicial side of the service do you propose to hold an examination for barristers or nominate them?—A competitive examination.

14179. For English barristers?—Yes.

14180. Of how many years' service?—Of five years' standing.

14181. There is another matter which I think we ought to clear up. What do you refer to as being the well-known reason for the concurrence of the three Indian members of the Commission of 1886 and 1887? I have not the faintest idea of what you were referring to?—That refers to the passage at the bottom of paragraph 60 of the Report of the Public Service Commission, an extract of which I have here: "The members of the Commission named in the margin"—referring to the Honourable Ramesh Chunder Mitter, Mr. Ramaswami Mudaliyar, and Rai Babadur Krishnaji Lukshman Nulka—"do not share in the apprehensions expressed above as to the probable result of the introduction of an examination in India for the Covenanted Civil Service, simultaneous with the examination in England, and they wish it to be noted that they have not deemed it necessary either to state at length the arguments in support of this view they have taken, or to meet the objections raised against it, as the scheme which is now unanimously recommended by the Commission is, in their opinion, well calculated to secure the end they have in view."

14182. I know of that?—After Mr. Paul's resolution in the House of Commons, Sir Ramesh Chunder Mitter delivered a lecture in the Town Hall, in which he said the idea of the Indian members was this, that if the scheme which the Public Service Commission recommended was

accepted in its entirety, then they would not press their arguments in favour of simultaneous examination, but if that scheme was rejected, or if that scheme was mutilated, then they would insist upon the simultaneous examination being held in India as well as in London.

14183. That is all you are referring to?—Yes.

14184. (Mr. Bompas.) You say there are a certain number of European barristers practising in Calcutta; how many of them have a thorough knowledge of Bengali?—Several of them, but how many I cannot say.

14185. Do you say it is at all common for the European barristers in Calcutta?—I would not say common, but several of them have.

14186. Do they make use of it in the law courts?—Sometimes they do when cross-examining witnesses, and they are able to follow the depositions of the witnesses better.

14187. Of course the barristers who come out from England would not have even that amount of knowledge of the language?—But I have said barristers of five years' standing, so far as barristers recruited from the Bar in India are concerned; and no doubt that would be the case as regards barristers recruited from England.

14188. You say that of these posts of District Judgeships that are to be given to barristers practising in Calcutta you would reserve a considerable proportion for European barristers?—I have not used the word reserved, but I would have a larger number.

14189. The number of European barristers practising in Calcutta will be always very small compared with the number of Indian barristers?—Comparatively small.

14190. These posts will be given in very much larger proportion to them than to the Indian barristers. Assuming one in ten Europeans gets a District Judgeship, perhaps one in one hundred of the Indian barristers will do so? Would not that arouse a feeling of injustice?—If my scheme is adopted, I expect large numbers of European barristers will come out to practise at the Indian Bar.

14191. Do you suppose that English barristers will be attracted by the remote chance of getting a District Judgeship to come out to Calcutta in larger numbers?—I do not think it would be a remote chance. With their ability they would be able to get in.

14192. (Mr. Mukherji.) I should like to have your opinion on two points I have heard stated. I have heard it said that if Indian youths had to undergo the severe strain of training for the Indian Civil Service examination in the climate and environment of this country it would very seriously affect their health and they would break down, either at the time or very soon after the examination. Do you think there is anything in that?—No. I do not agree with that.

14193. Do not you think that if Indian youths were to enter the Indian Civil Service under any kind of protective tariff, if I may use the expression, it would destroy the sense of comradeship with their English brethren which is so very necessary in the Indian Civil

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Service?—I think if the proportion of half and half is allowed it would conduce to real comradeship.

14194. (*Mr. Sen.*) Your recommendation is that all District Judgeships should be thrown open to the Provincial Service and to the legal profession. What proportion of appointments would you wish to make over to the Provincial Judicial Service?—That I would leave to the Government of India.

14195. Unless you make over a certain proportion there might be clashing of interest between the Provincial Judicial Service and the legal profession?—I would have efficiency as the sole test.

14196. You may take it for granted that efficient members will be appointed, but unless a certain proportion is reserved then there may be clashing of interest on the occurrence of a vacancy?—I can easily trust the Government of India with regard to that matter.

14197. If your scheme is accepted, would it not be desirable that half the number of appointments should be exclusively reserved for members of the Provincial Judicial Service and half for the barristers?—No; certainly not.

14198. Referring to your answer to question (57), you suggest there the complete separation of the executive and judicial functions?—Yes. I have suggested that, but that question is hardly within the range of discussion, because the Secretary of State as a matter of fact has sanctioned the measure.

14199. Do not you think in that case it is desirable that there should be but one Provincial Judicial Service in the country, both civil and Criminal, under the administrative control of the High Court, that is to say, that Munsifs, Deputy Magistrates, and Sub-Judges should be members of one and the same service?—Munsifs, Sub-Judges and Magistrates who do judicial work, yes.

14200. That would be better?—Yes.

14201. In reply to Mr. Justice Rahim you said you preferred a competitive examination for the recruitment of Munsifs?—Yes.

14202. Are you aware that among the recruits to munsifships from 1907 to 1911 more than 50 per cent. are M. A., B. L.'s, and many of them passed the B. L. examination in the first division?—Yes. I am aware of that.

14203. (*Mr. Gokhale*) There is just one point I should like to get cleared up. You would like to have a minimum in the case of the examination in India because you would not like

to leave room for the criticism that it was a lower examination than that in England?—Precisely so.

14204. If you have the Civil Service examination held at an interval of six months in London and in India, and if you have for India a minimum equal to the average minimum in England over a series of years, for all practical purposes the test would be the same?—Yes.

14205. And if there is a difference in any year between the English minimum of that year and the minimum adopted for India, it would be no more than what happens now in England in the case of two examinations held in two different years?—That is so.

14206. In one year, for instance, the minimum is 2,500 and in another 2,000, so that there is some variation even now?—Yes.

14207. If the necessary number of Indians that you want in India is not forthcoming as the result of the examination held here, you would add the number to the next examination held in London? Is that what you said you would prefer?—Yes.

14208. That examination would be held six months afterwards—not a very long period?—That is so.

14209. So that any difficulty caused by a deficiency in India would be got over without any inconvenience to the service?—I think so.

14210. (*Mr. Chaubal.*) Questions have been put to you with regard to the difficulty of obtaining practising barristers for District and Sessions Judges. I think it has never been found difficult to man the Presidency Magistrates from practising barristers?—There has been no difficulty.

14211. And the Small Cause Courts Judgeships?—There has been no difficulty.

14212. And some of these are almost the same, if not the same, as Assistant Judges' places?—I think so, but I have no personal knowledge.

14213. In Bombay, for instance, there were two or three who were actually practising English barristers in the High Court who have accepted the places of Chief Presidency Magistrate and Small Cause Court Judges. If you can judge from gentlemen who have accepted those posts, looking at what the material is, you think there will be no difficulty in finding men for the positions of District and Sessions Judges?—I do not think there will be any difficulty.

(The witness withdrew.)

W. D. BRAITHWAITE, Esq., President, European Defence Association.

Written answers relating to the Indian Civil Service.

14214. (1) What is your experience of the working of the present system of recruitment by open competitive examination in England for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—It has not proved to be generally satisfactory. It has made scholarship the only criterion of fitness, while character, physique, manner, social qualifications and general fitness for administrative employment have been ignored.

14215. (2) In what respects, if any, do you find the present system faulty in detail and what alterations would you suggest?—The present system does not succeed in recruiting the best class of men for service in India. We recommend a combined system of selection and competitive examination. There should be two selection committees—one in England and one in India, each containing not less than three nor more than five members—the English Committee being entirely composed of Englishmen and there being always a majority of Englishmen on the Indian Committee. The age of selection should be not

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later than 18 and at the time of such selection candidates should be required to pass a qualifying examination. They should then be sent for a minimum period of two years to a residential University, and during this period should receive a monetary grant from Government. Then should follow a competitive examination. Candidates should then receive a minimum of two years' training in India, at a special college to be instituted for the purpose, during which time they should study such subjects as are necessary for the efficient discharge of their duties and receive such salaries as may be determined. These two years shall be followed by a passing out examination, success in which should be a condition precedent to the obtaining of a post in the Indian Civil Service cadre. Any candidate unsuccessful in such examination should at the discretion of Government be permitted to present himself again for examination after a third year spent at the Training College. Under this arrangement the number of candidates selected each year must necessarily be limited by the requirements of the service, and we recommend that the apportionment of nominations between England and India should be determined from year to year at the discretion of Government, due regard being had to the necessity of maintaining a very decided preponderance of the English element in the service.

14216. (3) Is the system equally suitable for the admission of "Natives of India" and of other natural-born subjects of His Majesty? If not, what alteration do you recommend?—The recommendations made by us in answer to question No. (2) would, we think, be equally suitable in the case of "Natives of India" and of other natural-born subjects of His Majesty.

14217. (4) Do you consider that the combination of the open competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Service is or is not to the advantage of Indian interests? Please give your reasons?—We should prefer that the selection and examination of candidates for the Indian Civil Service should be entirely distinct from the tests for admission of Home and Colonial Civil Service candidates. If the present system of a combined examination were adhered to, our suggestions given in answer to question (2) would require modification.

14218. (5) If you do not consider the present system of recruitment by an open competitive examination to be satisfactory in principle, please state what alternative you would propose?—See answer to question (2).

14219. (6) In particular, what would be your opinion regarding a system of simultaneous examinations in India and in England, open in both cases to all natural-born subjects of His Majesty?—We desire most emphatically to express our disapproval of any such system of simultaneous examinations, on the following grounds:—(a) Enlightened opinion in India, both Indian and European, is opposed to it. (b) It is impossible to secure by competitive examination in India the class best suited for administrative posts or other important Government employment. (c) Simultaneous examinations in India, even if by careful selection the less eligible were eliminated, would result in a large

influx of "Natives of India" which would effectively destroy the English character of the administration. (d) This matter was thoroughly threshed out by the previous Royal Commission on the same subject, and there has been no change in conditions prevailing in India to warrant any departure from the conclusions then arrived at. (e) We consider that one of the strongest objections to simultaneous examinations and the resultant wholly Indian training of candidates is that it would inevitably lead to attempts on the part of political agitators to exercise an undesirable influence upon young Indian candidates at the most impressionable period of their lives.

14220. (7) What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service cadre by Natives of India, recruited by means of a separate examination in India, or by means of separate examinations in each province or group of provinces in India? If you favour such a scheme, what proportion do you recommend?—We object to any method of filling vacancies in the Indian Civil Service cadre, whether by Europeans or by "Natives of India," except by selection and competition as recommended in the reply to question (2), or by promotion as at present from the Provincial Civil Service.

14221. (8) If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which Natives of India would be selected in India for admission to the Indian Civil Service by means of (a) nomination, (b) combined nomination and examination, or (c) any other method? If so, describe fully what system you would recommend. In particular, do you consider it desirable that all classes and communities should be represented in the appointments so made? If so, how would you give effect to this principle?—The greater part of this question has been dealt with in our reply to question (2). Regarding the representation of all classes and communities the first consideration of the committee of selection should be the general fitness of the particular candidate, due regard being paid to the fact that the classes most suitable for administrative employment are those which have behind them certain traditions of rule and authority.

14222. (9) If you are in favour of a system for the part recruitment of the Indian Civil Service by Natives of India in India, do you consider that "Natives of India" should still be eligible for appointment in England?—This question is not fully understood, but we are not in favour of any system by which "Natives of India" should become covenanted Indian Civil Servants except—(a) Under the system advocated in answer to (2). (b) By promotion to listed appointments from the Provincial Service. We are strongly opposed to any system under which a "Native of India" could enter the Indian Civil Service at the beginning of his career without a preliminary training in England lasting at least two years.

14223. (10) Would you regard any system of selection in India which you may recommend for young men who are "Natives of India," as being in lieu of, or as supplementary to, the present system of promoting to listed posts

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officers of the Provincial Civil Service? If the former, what alteration, if any, would you recommend in the conditions governing the Provincial Civil Service?—The system of selection advocated under question (2) should be supplementary to the present system of promotion to listed posts.

14224. (11) Do you recommend any separate method of recruitment for the Judicial branch of the Indian Civil Service? If so, please describe the system which you would propose?—No. However desirable the institution of a separate judicial branch may be in theory, it is absolutely impossible in practice in the India of to-day.

14225. (43) If the system of recruitment by open competitive examination in England is retained, state the age limits that you recommend for candidates at such examination, giving your reasons?—We disapprove of the system of recruitment by open competitive examination, but if the system is retained we approve of the present age limit.

14226. (14) What in your opinion is the most suitable age at which junior Civilians recruited in England should commence their official duties in India?—22 or 23, provided our suggestions under (2) are adopted.

14227. (15) What age limits for the open competitive examination in England would best suit candidates who are Natives of India, and for what reasons? Do you recommend any differentiation between the age limits for Natives of India, and for other natural-born subjects of His Majesty?—We recommend no differentiation.

14228. (17) Is any differentiation in the subjects for the open competitive examination in England desirable between candidates who are Natives of India and other candidates? If so, state them and give reasons?—We recommend no differentiation.

14229. (18) Do you consider it necessary that certain posts should be reserved by statute for officers recruited to the Indian Civil Service, and, if so, what posts and for what reasons?—We consider that members of the Indian Civil Service should continue to hold the superior posts now ordinarily confined to them, and we do not consider that the number of "listed posts" should be increased.

14230. (19) Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the civil administration? If so, to what proportion of the posts included in the Indian Civil Service cadre do you consider that Natives of India might under present conditions properly be admitted?—(a) We consider that it is absolutely essential that the distinctively British character of the administration should be strongly maintained, and that this can only be done by the continued allocation of the higher posts of the Civil administration to European subjects of His Majesty, except under most rare and exceptional circumstances, (b) We deprecate laying down any hard-and-fast rule regarding the relative numbers of Europeans and "Natives of India" holding posts in the Indian Civil Service cadre.

14231. (20) Do you accept as generally satisfactory in principle the present system under which Natives of India are recruited for posts in the Indian Civil Service cadre partly through the medium of an open competitive examination in England, and partly by special arrangement in India?—We entirely disapprove of the present system of open competitive examination, and equally of any other method, except (a) something on the lines of that outlined in our answer to question (2) and (b) the promotion of officers of the Provincial Service to listed appointments.

14232. (21) Do you consider that the old system of appointment of "Statutory Civilians" under the Statute of 1870 should be revived, and, if so, what method of recruitment would you recommend?—No, certainly not. Our recommendations appear in answers of former questions.

14233. (24) What is your opinion of the system by which certain posts, ordinarily held by members of the Indian Civil Service, are declared to be posts (ordinarily termed listed posts) to which members of the Provincial Civil Service can properly be appointed?—We consider the system a good one, provided that—(a) it is not allowed to interfere with the course of promotion in the Indian Civil Service proper; (b) the claims of European and Anglo-Indian officers who have done good work for Government be not ignored in the matter of promotion to listed posts; (c) extreme care is taken that the number of higher posts listed be not extended upwards.

14234. (26) Are you satisfied with the system by which most of the inferior listed posts are merged in the Provincial Civil Service?—Yes.

14235. (27) Is the class of posts listed suitable? If not, in what directions would you suggest any changes, and why?—Yes, we recommend no change.

14236. (29) Do you consider that candidates recruited for the Indian Civil Service by open competitive examination should undergo a period of probation before being admitted to the Service?—If the system of open competitive examination is retained, which we deprecate, we consider that a period of probation is advisable.

14237. (31) Do you consider that any differentiation is necessary between the course of study for probationers who are Natives of India and the course prescribed for other natural-born subjects of His Majesty?—No.

14238. (32) Do you consider that the probationers' course of instruction could best be spent in England, or in India? Is your answer equally applicable to the case of Natives of India and of other natural-born subjects of His Majesty?—The answer to this question is covered by our recommendations in reply to question (2).

14239. (33) Do you think it desirable to start, at some suitable place in India, a college for the training of probationers of the Indian Civil Service, and possibly of other Indian Services recruited in England?—Yes.

14240. (34) Do you think it desirable that each Provincial Government should arrange

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for the training of probationers by suitable courses of instruction for the whole or portions of the first two years of service at some suitable centre?—We consider that the time of probation could most profitably be spent at a single central training college under the supervision of the Government of India.

14241. (35) Are you satisfied with the present arrangements for the training of junior officers of the Indian Civil Service after they have taken up their appointments in India? If not, what change should, in your opinion, be introduced?—If this refers to the period of training after probation is over, we think that the present arrangements are satisfactory.

14242. (40) Is any differentiation desirable in a system of training after appointment in India between members of the Indian Civil Service who are Natives of India and other natural-born subjects of His Majesty?—We recommend no differentiation.

14243. (41) If you have recommended the introduction of any scheme of direct recruitment in India for Natives of India, whether in lieu of, or supplementary to, the system of recruitment in England, please state what system of probation and training you recommend for officers so recruited?—The answer to this question is covered by our reply to question (2).

14244. (42) Is any differentiation necessary in regard to the probation and training of members of the Indian Civil Service who are Natives of India as between persons of unmixed Indian descent, of mixed European and Indian descent, and of unmixed European descent?—We recommend no differentiation.

14245. (45) Do you consider that the exchange compensation allowance introduced in 1893, eligibility for which depends on nationality or domicile, should be abolished; and, if so, under what conditions? Should such abolition apply to officers already employed or be restricted to future entrants?—We consider that the whole matter of the salaries of officers of the Indian Civil Service requires reconsideration. Salaries paid to European members of the Indian Civil Service are now inadequate owing to the rise in the cost of living. The prospects of those who choose the judicial branch should be made more attractive.

14246. Letter from the Secretary, European Defence Association, to the Joint-Secretaries, Royal Commission on the Public Services in India, No. 1381, dated Calcutta, the 20th January 1913.

I have the honour to forward herewith, in reply to your letter of the 1st December 1912, the answers of the Council of the European Defence Association to the scheduled questions put by the Commission.

I am further instructed to place before you the opinions of the Council upon the more general and broader aspects of the question with which the Commission is called on to deal. In framing these answers to the questions the Council have kept constantly before them what, in their view, are the two main principles to be borne in mind

in considering any proposed modification of the present system—

(i) The necessity for maintaining British Rule in India substantially in the form in which it exists at present.

(ii) The necessity for obtaining the very highest quality of candidates, whether they be English or Indian.

The first of these considerations has led the Council to oppose those schemes of reform that must result in any immediate considerable increase of the number of "Natives of India" holding appointments in the Indian Civil Service cadre.

In their opinion, the demand is confined to a very limited class, and that not the class best qualified by Tradition and History to command the confidence and obedience of their countrymen.

Further, they see no reason to suppose that an Indian District Officer is more acceptable to those under his charge than a European.

In short, the demand for increased facilities comes solely from those who hope under a new system to be the governors, not from those who under any system must be the governed.

In particular the Council desire to offer their strongest opposition to the introduction of any system of simultaneous examinations. Such a system they consider to be entirely mischievous and fraught with the possibility of the gravest dangers.

Finally, the Council do not recommend the institution of separate Judicial and Executive branches of the Indian Civil Service. The present system appears to them suited to the requirements of the country, and at the same time to be economically and practically convenient.

With regard to the second consideration mentioned above, the Council have stated in what way they consider the present system of recruitment has proved a failure.

They have suggested the substitution therefore of a system of selection combined with competitive examination.

By this means they consider that some guarantee will be afforded that successful candidates will possess the moral and social qualities necessary in posts of executive and administrative authority.

They have further recommended a complete reconsideration of the salaries of Indian Civilian. Increase in the cost of living has rendered the service no longer pecuniarily attractive, as it must necessarily be, if the most desirable candidates are to be obtained.

The position of the District Officer is one of very great responsibility, demanding no ordinary measure of energy and moral courage.

Money spent in attracting the very best candidates obtainable and supplying them with the proper training for their future career is, the Council hold, money profitably spent.

Finally, the Council earnestly desire the opportunity of supplementing their written answers by oral evidence, and they respectfully request the Commission to give them the permission to select two of their Members to give such evidence during the sittings of the Commission in Calcutta, at such time as may be convenient.

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MR. W. D. BRAITHWAITE called and examined.

14247. (*Chairman.*) You are the President of the European Defence Association and the answers which you have put in this afternoon represent the opinions of that Association, do they not?—That is so.

14248. You speak on behalf of the Association?—Yes.

14249. Can you tell me how long the Association has been in existence?—It came into existence in 1883, I think.

14250. Is it an Association confined to Bengal?—No. It was started to focus the opinions and protect the rights of Europeans in India, political rights especially. We have about 1,000 members at present who come from all parts of India.

14251. Calcutta, I suppose, may be regarded as the head centre?—It is the head-quarters of the Association.

14252. But it is not confined to Bengal?—It is in no way confined to Bengal.

14253. From what classes do you draw your membership chiefly?—The commercial classes, planters, professional men, doctors, engineers, solicitors, barristers.

14254. All the non-official element?—Practically the whole of the non-official element.

14255. Your Association does not appear to be satisfied with the present system of recruitment?—No.

14256. You say: "It has not proved to be generally satisfactory. It has made scholarship the only criterion of fitness, while character, physique, manner, social qualifications, and general fitness for administrative employment have been ignored." Am I to infer from that that all these defects are to be found in those who represent the Indian Civil Service to-day?—No. The large majority of the members of the Indian Civil Service have these qualities or have acquired these qualities, but I do not think that the Indian Civil Service gets the best men in England at the present.

14257. According to present practice each candidate has to undergo a medical examination, has he not?—That is so. Perhaps instead of physique I ought to have said aptitude for athletics, which I think is rather an important point in this country.

14258. Do you think that those who have come out in more recent years are more deficient in that particular quality than other Europeans who come to India?—I came to that conclusion first of all when I was at Cambridge, where it struck me that the men who were going in for the Indian Civil Service at that time were rather—I hope I am not insulting members present—of the clever, smug order, to use a colloquialism, than the men who were most in the life of the college and more popular and more sociable members, who to my mind would be of more service in India.

14259. You want the establishment of two committees, one in India and one in England, with power to nominate all candidates for the open examination?—Yes.

14260. Each of these committees should consist of five members?—Yes.

14261. Can you explain to us how these five members will satisfactorily select from the various

parts of England candidates of suitable character physique, manners and social qualifications?—I think it would be quite easy to form such a committee: there have been other selection committees formed in England. The one for the Navy is well known, and I believe there is one for the Egyptian Civil Service, which have to find exactly those qualities in a youth which I consider would be most acceptable for India. I have not really thought out the circumstances of the appointment of such a committee, but I might suggest it should have one retired and one active member of the Indian Civil Service, one headmaster of a public school, one University don, and one member appointed by the Civil Service Commissioners. It strikes me that would be a suitable committee.

14262. You propose three successive tests for admission to the Indian Civil Service; first, the nomination test at the age of 18 by a selection committee; secondly, a competitive examination at the end of a two years' course at a residential University; and, thirdly, examination at the end of two years' probation, spent at a Central College in England?—Yes.

14263. You say that the apportionment of nominations between England and India should be determined from year to year at the discretion of the Government. Are you yourself prepared to suggest any proportion?—No. I am not prepared. I think the Government should have discretion to vary it according to the needs of the country and the suitability of candidates in previous years.

14264. Are you prepared to suggest an increase in the present proportion of Indians employed in the Civil Service?—Provided some deferential was made between the people who can get to administrative posts—by which I mean ruling posts—and the people who would have comparatively speaking office posts. I consider there is more scope for Indians than they have been given at present in posts that are not governing posts, but I do not consider that any reduction of the English element in governing posts ought to be considered at all. I would therefore make the increase not an increase in the Indian Civil Service, but an increase in the Provincial Civil Service.

14265. Then you would have to increase the posts in the Provincial Civil Service?—Yes.

14266. Would you create the new posts because they were needed or merely to meet the demand for posts open to Indians?—I think it is the general opinion of laymen that the Indian Civil Servant is very much overworked, especially the head of a district, and that he does a great deal of work which is not really administrative work, office work, and so on, which can be perfectly well taken off his hands by someone who would not draw quite so much pay and who would be just as capable of doing that kind of work; and it is in order to meet that demand that I would be prepared to increase the Provincial Civil Service cadre.

14267. You think that the present administration of the country would be improved by an increase in those kind of posts?—I certainly think so; it would leave the Collector more free to exercise his proper duties.

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14268. Would you be prepared to increase correspondingly the listed posts?—No. I leave the listed posts as they are, chiefly because I understand any increase in the number of the listed posts would take a very long time to bring about and cause enormous dislocation to the Indian Civil Service.

14269. So that your proposal would be an increase in the Provincial Civil Service with no prospect of any promotion from that service?—Quite so.

14270. Would you ask candidates to go through the elaborate training which you propose first in order to attain such a position as you have sketched out?—No. Certainly not. The training that we suggest would not be for a post of this kind but for the Indian Civil Service.

14271. So you would not be prepared to suggest any increase in the Indian element in the Indian Civil Service?—I would not suggest any increase or any change in the present proportion of Europeans and Indians.

14272. Have you thought out what sort of University course you would have?—The University course must necessarily lead towards the competitive examination which we suggest. I have put it down at two years, because I consider if they went through the full University course necessary to obtain a degree, namely, three years, you would be keeping a man a student for too long.

14273. Would you suggest that all the candidates should go to the same University and the same college and be together?—I would not suggest the same University or the same college, but I would suggest a residential University.

14274. How many candidates would you nominate in excess of the prospective number of vacancies? I think that could only be arrived at by experience, but I should be inclined to nominate twice as many as were required.

14275. Could you say what would be a suitable allowance for the candidates?—One could only be guided by the cost of living at the university, and I suppose the minimum in my day was about £200 a year.

14276. Candidates would then receive a minimum of two years' training in India at a special college instituted for the purpose. Would you admit Indians to that college?—Most certainly. The chief object of having them in one college would be to throw them together as much as possible, to get absolute uniformity of training, and *esprit de corps* equally pervading both sections.

14277. Your proposal is to establish a large central college for the purpose of training both Europeans and Indians for the Indian Civil Service?—Yes.

14278. I notice that in your answer to question (6) you express emphatic disapproval of simultaneous examinations on the ground amongst others that enlightened opinion in India, both Indian and European, is opposed to it. By enlightened opinion do you mean educated opinion?—I mean the opinion of people who have a stake in the country, not only Europeans but also Indians: the Indian aristocracy and the Indian nobility. I am giving the collective opinion of a large number of people,

and I am not speaking of my own acquaintance or of what has been told me personally by various Indians; I am speaking opinions that have been formed by a large body of people with regard to the feeling on the subject. This of course was written before the evidence was taken by this Commission.

14279. You would not then regard educated opinion as really enlightened opinion?—Not English educated opinion.

14280. Nor Indian?—Not the opinion of the English educated classes in India.

14281. I am talking of the Indians?—I am talking of the Indians, too.

14282. I suppose you would admit that there is, rightly or wrongly, a considerable body of educated opinion which advocates a system of simultaneous examination in India?—Quite so.

14283. Then you say in sub-section (c) of your answer to question (6) that simultaneous examinations would effectively destroy the English character of the administration. Would your objection be as strong if facilities were given to Indians to acquire in England that English character after the examination and prior to their entry into the service?—My objection to simultaneous examination does not rest only on what I have written in sub-section (c).

14284. No, but I am taking this particular objection now. Would you consider that the Indian might assume the English character to a satisfactory extent, if, prior to his admission into the service, he had a full English training in England?—I think it is quite possible—there is a class of Indians which have not come forward for public service which might acquire that English character, but I rather doubt whether the class of Indians now available for public service would acquire it.

14285. Under your combined scheme of nomination and competition for the Indian Civil Service would Indian candidates be eligible, equally with Europeans, for promotion to the higher posts?—I take it they would have to be; they are now. I wish to make no change in that respect.

14286. You do not suggest the withdrawal of that opportunity?—No, because it is a concession that has been given, and I do not think it is good to take it away.

14287. In answer to question (11) you say that, however desirable the institution of a separate Judicial branch may be in theory, it is absolutely impossible in practice in the India of to-day. Could you tell me what you mean by this?—A very large part of the population of India is, to say the least of it, extremely primitive and uneducated: I was going to say semi-civilized and uncivilized, which is almost true in some districts. It is not so true in a place like this. I cannot conceive any administrative officer having the same prestige among such people if you deprive him of his power to punish, and I take it that the separation of the judicial and executive functions would deprive the administrative officer of his power to punish.

14288. If the Executive officer were permitted to retain that amount of magisterial power which would enable him to enforce his authority, would that in any way mitigate your objection to the scheme?—I am talking as a layman, but I

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believe there is a considerable number of administrative duties in the hands of the judicial side and that a career in the executive, or a certain time passed in the executive must be of very great advantage for that purpose to such a person as a District Judge. Therefore I think the executive experience is almost essential to him.

14289. So that you really mean, not that it would be impossible in practice, but that it would not be to the best advantage to the country?—I think the administrative advantage to the country must come first, but, as you put it, I think my answer would be better modified.

14290. You have not given any reason for saying that it is absolutely impossible in practice, but you have given a reason for saying that it might interfere with the effective administration of the country?—Yes.

14291. Then with regard to your answer to question (45), what do you consider has been the rise in the cost of living during recent years?—It is rather difficult to say. An answer was given a few days ago before this Commission which seemed to me to put the matter into a nutshell, that it is very much more difficult for officers of the Indian Civil Service and of the Provincial Civil Service, or of any other service in India, official or non-official, to obtain suitable houses, chiefly owing to the increasing prosperity of the Natives of India, and the fact that they are now living in considerably better houses than they used to, and the want of enterprise on the part of builders and landowners, which makes accommodation very limited. That I think is one great cause—the rise in rents and the difficulty of getting good accommodation. But the whole cost of living has gone up in this country.

14292. You lay special stress upon the rise in rents?—Yes, and the rise in land values which has automatically brought up everything else.

14293. You would like them to see the whole pay of the service regarded from that standpoint?—I think the whole pay of the service ought to be raised. I do not think it can be very easy in a very large number of stations for an English civilian to keep out of debt at all now. It must be practically impossible in Calcutta. I am not talking of the men in very high posts, although I do not think they are very much better off than the men in lower posts.

14294. You are talking of the young men who are married, in the lower posts in the service?—Yes.

14295. (Sir Murray Hammick.) You have considerable knowledge of the mufassal?—I have toured the mufassal fairly extensively in my business.

14296. I understand that when you answered the questions with regard to the impossibility at present of separating the Judicial branch from the Executive you meant that in places in the mufassal people are not sufficiently educated or advanced to recognize properly the authority of an officer, unless they know that he has power himself to enforce any orders which he gives?—Certainly.

14297. That in the present state of society in many instances in the mufassal it is

necessary for the Executive officer to possess certain powers in order that he may have what you call prestige amongst the people?—Yes.

14298. (Mr. Abdur Rahim.) Do you think there ought to be an increase in the number of Indians in the Indian Civil Service?—No. I consider that if an increase in the number of Indians presupposes a decrease in the number of Englishmen the minimum limit of Englishmen has now been reached.

14299. Is that the opinion of your Association?—That is the opinion of my Association.

14300. I suppose you know that about 27 years ago it was proposed that at least one-sixth of the Indian Civil Service cadre should be filled by Indians, and that that number has not been reached yet?—I only know that from having seen it in the evidence given to this Commission by others.

14301. Has the country, in your opinion, gone backward in the matter of education or the fitness of Indians to hold these high appointments?—With regard to the matter of education, I do not think the country has gone backward, and there is a good deal of evidence to show that education has increased in quantity considerably, but I rather doubt whether it has increased in quality.

14302. What do you mean by its not having increased in quality? Have you over thought about the standards of University education?—I do not merely refer to scholarship, that is to say to the capacity for passing examinations. I refer partly to the formation of character and partly to the absorption of learning in a more or less superficial manner.

14303. In your opinion then the education given in schools and colleges has no effect on character at all?—I have not said so.

14304. You think it must have some effect on character?—It must have some effect on character.

14305. A beneficial effect or a deleterious effect?—It should certainly have a beneficial effect, education *per se*.

14306. Apart from any training such as you have suggested in residential colleges in England?—Education must bring you somewhere on the road to culture.

14307. Since the last Public Service Commission, as there has been an increase in the quantity of education, there must have been a proportionate increase in the beneficial effect of education on character?—Most certainly; that is to say, it is distributed amongst a much larger number of people.

14308. Do not you think that that has increased the fitness of Indians for holding higher appointments in the Government service?—I hardly think so, because I think it means that there are more Indians now on the way to culture than there were, but I am not sure that they are any further on the way to culture as a whole than they were in 1886-87.

14309. Do you suggest that the improvement is of a very infinitesimal character?—That is my opinion. If there has been any improvement it is a small improvement in quality, but there are many more people who are literate and many more people who have had the benefits of primary education, and probably many more

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people who have had the benefits of secondary education.

14310. Have you known the work of Indian officers in high places?—Personally I have not. As I said before, I am speaking for the Association.

14311. Have you had a meeting of this Association before these opinions were drafted?—We had several meetings.

14312. Can you tell me if many of the members who attended the meetings have had experience of the work done by Indian officers. You yourself have no personal knowledge of the members who attended those meetings?—I was present at the meetings.

14313. How much of this opinion is founded on experience and how much of it is mere hypothesis?—If you ask me for my opinion, the amount that is founded on experience is the fact that I am in touch with a very large number of Natives of India, that I read the papers, that I hear opinions all round me, and that I am in correspondence with many Natives of India as well as with many Europeans in the mufassal who are in a position to judge.

14314. I should like to know to what class you are referring as being in touch with?—Chiefly the merchant class.

14315. They are not the educated class, are they?—They are not educated in the sense of being able to read and write English and of having acquired an English education, but in a great many instances I consider they are quite well educated.

14316. I agree with you there, but what I mean is that the class from which the officers are drawn are those who are educated in English schools and colleges. You know the administration has been Anglicized for a long time, and that, without a great deal of literary education, you could not get officers to discharge their duties. You have no experience of the class from which Indian officers are drawn?—I have had nothing to convince me that the class from which the Indian officers are drawn at present is widely different from the class from which the Indian staff of a large commercial office is drawn. I may be wrong.

14317. That is almost entirely a clerical staff?—Yes; but, as far as I know, they are drawn more or less from the same class. I have had Indians working in the office whose brothers have been home to England and have passed into the Indian Civil Service, and therefore I gather there is no wide difference between the two classes.

14318. Supposing one brother has been educated in England in one of the Universities and passed into the Indian Civil Service and another brother has attained a certain amount of proficiency in English education just sufficient to enable him to obtain a place in one of the mercantile firms, do not you think there is a difference in the qualifications of the two brothers?—There is undoubtedly a very wide difference in their qualifications.

14319. Then, in connection with your argument, what difference does it make whether they are related as brothers? Does it show that one is unfit because the other is unfit?—Not in

the least. I say the one is a great deal better than the other, but I do not say that the one is equally as efficient as an English officer for administrative purposes.

14320. I think you said in answer to the Chairman that there is a class of Indians who would be able to assimilate English character?—I said I was not sure, but that I thought there must be a class somewhere which had not yet come forward in our public service; a class which has ruling traditions behind it, and which would be suitable for office in this country.

14321. But that class is not in evidence now?—That is not in evidence now, and I do not know whether it exists. I said I thought it was probable it did exist.

14322. That, I suppose, is a sort of pious hope. So far as your knowledge and experience goes, you consider there is no class of Indians fit for high offices?—I would not go so far as to say that. I have met individuals whom I consider suitable, members of the aristocratic classes.

14323. Those who have not received an English education?—Who have received an English education, but have not offered themselves for competitive examination or for the public service.

14324. Do you know if they have any inclination to offer themselves for the public service?—I have no idea.

14325. They do not come forward?—I would rather not express an opinion.

14326. Then I take it that, as regards the Indians who are willing to come forward for public service, in your opinion they are not at all fit to hold any high appointments?—I have not given that opinion, and it is not my opinion.

14327. Then may I take it that you consider there is a class of Indians who are fit for public service in high places?—I consider that there is now a very large class of Indians who are fit for high posts in Government service, but I consider greater efficiency is given by English officers in posts where it is necessary to govern.

14328. You mean that the English officer is more efficient than the Indian officer in the matter of governing?—That is so.

14329. But you have had no experience of the actual work of the Indian officer?—I only know it from hearsay and from the census of opinion amongst people who should know.

14330. You mean the members of your Association?—Not merely the members of my Association, but friends and acquaintances and also Natives of India. I have heard very many natives of India express the opinion, and I have read that they have expressed an opinion before this Commission, that the English officer is more efficient than the Indian civilian, who is a Native.

14331. You have read the evidence given before this Commission?—I have read the evidence presented to you day after day. The greater part of the evidence has proved that an English officer is more efficient than an Indian civilian, who is a Native of India.

14332. You mean the evidence of Indian witnesses?—The evidence of Indian witnesses.

14333. Then I can tell you you are wrong?—I am sorry then.

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14334. May I ask you if you have any experience of the judicial work of this country?—None.

14335. Then when you express alarm at the prospect of the separation of the executive and judicial functions you do not base that alarm on any experience of your own?—No.

14336. What do you understand by the combination of the two functions, the executive and the judicial?—I explained to the Chairman that what I understood by the divorce of the judicial from the executive would be that all the power of punishment would be taken away from the administrative officer, and that, if that was taken away, the conditions of the country would make it most difficult for the administration to continue as effectively as it does at present.

14337. In what way at present is the power of punishment lodged in the Executive officer?—I do not know in the least.

14338. Then it is wholly in the abstract; if there is any such power somewhere you say it ought to be retained?—I presupposed that an executive officer has the power to punish.

14339. Who is that Executive officer?—There are a large number of them.

14340. Can you give me the name of the office he holds?—I take it the officer you have in mind most when you talk about the judicial and administrative functions is the Collector or the Deputy Commissioner, who is, I take it, the equivalent.

14341. You do not know what I have in my mind. I simply want to know what officer you meant when you said that the Executive officer ought to have the power of punishing?—I say that any Executive officer who is in a part of the country where it is necessary he should have the power to punish should not be deprived of that power.

14342. Then you think that the punishment ought not to be the function of a Judicial officer?—Certainly.

14343. What will be the distinction between the two?—The Executive officer would be both executive and judicial in the sense that he has the power of punishment. The Judicial officer would be judicial only, and necessarily would have the power to punish.

14344. Do you think the Executive officer should try a man before he punished him? Do you understand what I mean by trying a man?—Yes, of course I understand what you mean.

14345. Do you think he ought to try a man before punishing him?—Certainly.

14346. According to law?—I know nothing about law.

14347. Do you not think it is a very technical question?—I think some of the questions you have asked me are very highly technical.

14348. And you have given an opinion without knowing anything about it?—I have tried to give my opinion on what I know something about, and to avoid giving an opinion on what I did not.

14349. (*Mr. Madge.*) You are a graduate of Cambridge and you have also had some scholastic experience?—Yes, I have in India.

14350. So that when you offer an opinion it is not that of an amateur, but that of a man

who has taken some interest in the development of character by education?—Certainly.

14351. I understand from your answers here that you are not hostile to Indians or that you would not exclude them from the public service, but you think the present system of competitive examination does not test all the qualities that you think necessary in an officer?—That is so.

14352. And your recommendation of committees or boards is designed to supply what you consider a real need?—Certainly.

14353. The competitive examination tests, as regards Englishmen, certain qualities they are supposed to possess that could not be tested in every other race. For instance countries, such as Russia, France and Portugal, have had colonies which have not succeeded as well as British colonies, and you would infer from that that Englishmen, without any general question of superiority or inferiority (because one race may be superior in one thing and inferior in another), has an administrative capacity above other races?—Certainly.

14354. Europeans as well as Asiatics?—Certainly.

14355. Do you speak the vernacular?—I do, and I read and write it.

14356. Do you correspond with Indians, a rare gift in Englishmen?—I do.

14357. And that has been one source through which you have arrived at the opinions of Indians?—It means a little more facility in the language perhaps than the ordinary English merchant has here, and I daresay it has enabled me to get a little closer to the thoughts and opinions of Indians.

14358. Your firm has a certain stake in the country?—Certainly.

14359. And from what you have seen of other merchants, both in business and in your association and in social intercourse, do you think that any important change in the personnel of the public services would affect their opinion as to—I do not like to say the safety of the Government, but would affect the confidence of merchants and capitalists generally in the Government?—Undoubtedly.

14360. In what way?—So long as there is confidence in the Government undoubtedly investors would be prepared to invest their money in India. So long as there is not that confidence investors will not be so prepared. Any experimenting with or tinkering with—I do not mean the word in a bad sense—the present conditions would be highly dangerous in that respect, because the more money put into the country by investors the better for the country.

14361. The money-market is very sensitive in that way?—Certainly.

14362. Do you think that merchants generally have helped to develop the prosperity of the country?—Undoubtedly. I suppose they give more employment in the industrial way than would be given if they were not here, because nearly all large industrial undertakings, at any rate on this side of India, are the property of Europeans and are controlled by Europeans.

14363. So that your class provides employment for a large number of Indians of the labouring classes?—And it raises their status and

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makes them happy and more comfortable by providing better for them than before

14364. There must be a considerable amount of prosperity in the masses due to European enterprise?—Yes.

14365. And the developing of the commerce of the country reacts beneficially on its finances also?—Undoubtedly it must; Customs duties alone.

14366. So that really if any important change in the character of the Government diminished the confidence of the mercantile classes it would react both on the prosperity of the masses and on the finances of the State?—Most certainly.

14367. You made a reference to the aristocratic class. The opinion has been put forward sometimes that there was a great difficulty in toning the mind of the Indian aristocracy to our conditions of service. Have you come across any feeling of this sort?—I think that the Indian aristocracy at present will not take the trouble to study for the competitive examination. I should say that is the chief drawback to their entering public life.

14368. Has any other way occurred to you, besides the doors to which you refer, by which influential classes of that sort in the country could be drawn into the public service?—I do not think any method, which would draw any such classes and leave out other classes, would be acceptable to anybody; it would be no use putting it forward.

14369. The system of selection you mention in answer to question (10) would be supplementary to the present system of promotion to the listed posts. Do you mean it would be supplementary in the sense of its being secondary and not of primary importance?—The existence of the one would not cancel the existence of the other.

14370. Do you think that the British tone of the Government depends more on the personality of the officer carrying it out or on the machinery of the administration?—I consider that in any eastern country personality must have a great deal more effect on the welfare of the country than any machinery can possibly have.

14371. Can you conceive it possible under existing conditions that the machinery should be brought to such a state of perfection as automatically to result in what is desired independently of the personality of the officer?—No.

14372. You refer in answer to question (24) to the pay of European and Anglo-Indian officers who have done good work for the Government. Is it your opinion that an Englishman who gives up his life to this country, cutting himself adrift from Europe altogether, has some claim, provided he can bring forward children who can pass the tests, on the consideration of Government?—I assisted in drafting that clause, because there is a feeling at present that for sentimental reasons vacancies in the listed posts are filled by Natives rather than by domiciled Europeans or Anglo-Indians. There is a feeling in the country that at the present time preference is being given, for sentimental reasons only, to Natives over members of the Provincial Civil Service who are domiciled Europeans or Anglo-Indians.

14373. To the neglect of the latter class?—Yes. I may be wrong, but that is the general opinion.

14374. You have also expressed an opinion that, owing to the rise in prices of rents, salaries should be raised. Would you think it advisable to have a *pro rata* increase all round?—By "all round" do you mean from the listed posts in the Provincial Service to the higher posts in the Indian Civil Service?

14375. You can divide the question and apply it to any service that you think it would be desirable to apply it to?—I have no knowledge of the Provincial Civil Service working, and I have not had time to study it, but it seems to me that for any official to maintain the position he ought to maintain in the eyes of the people around him in this country he should be better paid than he is now.

14376. Have you formed an opinion whether the colleges and schools have got into a condition of teaching students more with a view to help them to pass examinations than to educating them really with a good general education?—I think the difficulty is not so much in the constitution of the colleges and schools as in the extraordinary rapidity with which the educated Native of India is able to memorise. I think the colleges and schools are all right; the fault is in the individual, so to speak. It is a fortunate fault for him, as it enables him to pass examinations, but I am not sure that very much of the knowledge he gains in order to pass examinations sticks.

14377. You think that until recently it has been sufficiently practical to lead those who pass it to seek for careers, journalistic or legal ones?—I am not an expert of what has been happening lately, but I know at the time of Lord Curzon, when the question was taken up to make education more practical, there was a very strong opinion that the education in those cities was more or less cramming for examinations, and I understand there has been a very great improvement since.

14378. (Mr. Macdonald.) You have said several times that your proof is a manifesto of your Association?—That is so.

14379. Then you informed us that it was not from your Association but from your Council?—The Council has to represent the Association. One cannot collect things from all over India.

14380. The Association is represented by the Council?—Yes.

14381. Can you tell us the membership of the Council?—I think it is about 25.

14382. Residents in Calcutta?—Yes.

14383. And it produces this scheme?—Yes.

14384. With reference to your scheme for nomination, you referred to Egypt?—No. I have not. I have only referred to Egypt in my oral evidence. I have known of it before and I have met members of the Egyptian Civil Service, but I was not sure of my ground until I saw Sir Ralph Benson's evidence the other day, in which he made a definite statement that this method of selection was employed for the Egyptian Civil Service.

14385. Then you have mentioned Egypt in a casual way to-day?—Yes.

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14386. You do not want to be cross-examined about it?—No. I should not have mentioned it had not I seen Sir Ralph Benson's evidence.

14387. You have also mentioned the Navy. Have you gone into that scheme?—I only know in regard to the Navy that there is a board of selection which is composed of five officers of the Navy before whom every candidate comes at an early age.

14388. Candidate for what?—Candidate for admission to the Navy through the training school, wherever or whatever it is.

14389. Candidate for admission to the training school?—Yes, firstly.

14390. Have you gone into the subsequent results, the weeding out, and so on?—No. I have not gone into that, and I only used that argument with regard to the composition of the selection committee. I said, if they could select a committee for the Navy, they could select one for India.

14391. The two cases you mention in support of your scheme you have not carefully considered?—I did not mention them in support of my scheme, but only as showing that the constitution of a committee of selection should not be difficult, that they have already constituted two committees of selection in England, one for the Navy and one for Egypt.

14392. You are not prepared to give any evidence as to the result of the working of these committees?—No.

14393. You have not heard of a third committee of selection for factory inspectors?—No.

14394. So that you cannot be cross-examined on that?—No.

14395. This committee of selection would examine candidates, with aids or without aids?—Certainly, with such aids as they could get, such as certificates from school-masters or any other certificates of character or past history that might be useful.

14396. Anybody who commended a candidate might write up to this committee and their recommendation would be considered?—I see no objection to anybody writing; it is a question of whether their opinions would carry great weight.

14397. As a matter of fact, you would have a committee of five or six gentlemen settling who was going to govern India?—Settling who was allowed to go up for competition for the Indian Civil Service.

14398. If you like to put it that way. Settling the number of men from whom the final selection of the Indian Government was going to be made?—Certainly.

14399. Would you have any appeal against their decision?—No.

14400. None whatever?—No.

14401. The five or six men are going to settle the superior cadre of the Indian Government?—They are going to weed out the undesirables before allowing them to go up for examination.

14402. And not let in undesirables?—Not so far as it is humanly possible.

14403. Their judgment is to be always final and always accurate?—Certainly.

14404. When Indians went to England, would they come under the ægis of this committee in England, after being selected here by your Indian committee of selection?—The Indians would not come under the ægis of the committee of selection at home; they would have been selected out here as suitable for the examination.

14405. Supposing it was discovered in England that their character, their physique, their manner, their social qualifications and general fitness were not good, then nobody would be allowed to say they should not go on?—There is a period of probation after examinations by which any person who has passed the competitive examination and is found unsuitable can be turned back again.

14406. But they would continue to enjoy the bounties of the State for two years, although it was known by the committee of selection that ultimately they were to be refused?—Certainly; such exceptions must occur.

14407. You would keep them hanging on until the age of 22?—Certainly. I do not consider that any European ought to arrive in this country before the age of 22.

14408. You send them here at 20 and give them two years' training in India?—Yes.

14409. And keep them hanging on until the age of 22, the last two years being spent in India?—Yes.

14410. And at 22 only about 50 per cent. of those who have been trained are going to be passed in?—You must have misunderstood me.

14411. Did not you say somewhere that you would have a very considerable margin—about 100?—No.

14412. In any event, are they all going to pass in?—Those who have passed the competitive examination.

14413. Which competitive examination?—This, which in my answer to question (2) would take place at the end of two years' residence at a residential University.

14414. At 20?—Yes; it would take place at 20.

14415. And what would happen?—Those who passed would be drafted out to India to the special training college.

14416. When they are drafted out to India, are they members of the Indian Civil Service, or are they only members of the Indian Civil Service when they pass through this special training college?—They could not be members of the Indian Civil Service until their probation is over, but that is more or less a petty detail which I think the Government of India might settle for itself.

14417. You do not regard the probation as really a weeding-out time?—To a certain extent, but a very small extent, it would be a weeding-out time.

14418. I think you told us that you attach a certain importance to the views of enlightened people having a stake in the country. Has not a barrister a stake in the country?—Certainly.

14419. Would not he therefore be regarded as an enlightened person?—I did not say all enlightened opinion.

14420. You only mean a certain amount of enlightened opinion?—Yes.

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14421. Some enlightened opinion?—Some enlightened opinion. I did not mean to say that everybody who had given evidence against simultaneous examinations here was unenlightened.

14422. You lay no emphasis upon that?—No.

14423. May I put a question to you which I have put to other witnesses. Do you mean by sub-section (c) that you deliberately adopt the examination in England in order to make it difficult for Indians to get into the Indian Civil Service?—It amounts to that.

14424. You refer to some Royal Commission that has sat on the subject before: which Commission do you mean?—I think it was the Commission of 1886-87.

14425. I did not know whether you meant the more recent one. You say that since 1886 there has been no change which would justify giving Indians more power in the Government?—I say there is no change which would justify the result of that Commission with regard to simultaneous examination being upset.

14426. Do you know that at that time the Government of India was prepared to give one-sixth of the positions in the Indian Civil Service to Indians?—I know it only from the evidence I have read.

14427. I want to put the question because it was not put to you that the Government was prepared, and I want it clearly on the record. Were you aware that the Government was prepared to give it?—Do you mean the Government of India in India?

14428. Yes, agreed that on the whole one-sixth should be the proportion; it was a sort of rule that was to be worked up to?—And it has not been worked up to I understand.

14429. Were you aware of that, that in the Government's opinion it was practically safe to work up to one-sixth?—I am aware of it now, but I was not aware it before.

14430. Do you disagree with that?—I consider it is not safe and not for the good of the country.

14431. Does that shake the opinion you express here that you would leave the proportion to the Government? I think you said that the proportion between Indians and Englishmen would be changed from time to time?—Yes.

14432. And you were asked who were to settle it, and you said you would leave it to the Government?—I think one can leave it to the Government.

14433. With regard to (e), you say that allowing men to enter into the Civil Service from here would inevitably lead to attempts on the part of political agitators to exercise an undesirable influence upon young Indian candidates. What do you mean by that?—I mean that a great deal of harm has been done in India, and the balance and character of a large number of Indian students have been upset by political opinions which have been deliberately instilled into them in India, and I think that is one of the chief reasons why we said that there has been no change in the conditions prevailing in India to warrant any departure from the conclusions then arrived at.

14434. Would you mind looking at your answer. You say: "We consider that one of

the strongest objections to simultaneous examinations and the resultant wholly Indian training of candidates is that it would inevitably lead to attempts on the part of political agitators to exercise an undesirable influence upon young Indian candidates at the most impressionable period of their lives." What influence could that have in the direction which you suggest in sub-section (d)? What difference would simultaneous examination make in the attempts that are being made to preach certain political doctrines in India?—Under the scheme which we have outlined in reply to question (2) which is opposed to simultaneous examination, every Indian candidate would spend two years in England before he went back to India.

14435. Would you please answer my question? You say that if simultaneous examinations were started in India it would mean that political agitators would try to get hold of Indian youths more than they do now?—I assume first of all that candidates would be entirely trained in India if simultaneous examinations were allowed. There are two hypotheses in that answer.

14436. Your answer is that it would inevitably lead to attempts on the part of political agitators to exercise an undesirable influence?—Certainly.

14437. How?—If the candidates were wholly trained in India and did not have the time in England which my scheme outlined for them, they would not have the chance of shaking off these influences which we expect would be brought to bear upon them.

14438. You mean to say that because candidates go to England after a University course here, political agitators do not trouble very much about them here?—Not in the least. I expect they will trouble about them if they still exist there.

14439. I should like you to answer the question. If you have simultaneous examinations in India you say that will increase the political agitation directed towards the student?—I do.

14440. Very well, then I ask why?—What I mean is this—I am afraid I am annoying you.

14441. What do you mean?—What I mean is that the attempts are likely to bear worse fruit if the candidate does not go to England afterwards than if he does.

14442. Would you look at your answer again: is that what you say in your answer?—What you ask me is, would not they attempt it if the man went to England as well: they would certainly, but their attempts would not be as successful.

14443. If you institute simultaneous examinations would more attempts be made than than are made now to get hold of the students?—Not necessarily more attempts.

14444. So that you withdraw that statement in (d)?—To that extent I qualify it.

14445. And there is no other "extent" in it, is there? I was exceedingly anxious to get out the meaning of that and I am sorry I have had to waste so much time over it. In your answer to question (19) you say that the British character of the administration can only be strongly maintained by careful allocation of the higher posts of the civil administration to European subjects. If Indian candidates go to England

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and successfully pass the examination, how are you going to arrange for them?—I have already told the Chairman that such posts as are already given to Indians, and such opportunities as have been given for rising to the top must not be taken away.

14446. It was because of that answer I put the question. You are going to withhold no facility that you give them now?—I do not know whether you are trying to catch me, but that is what I have said.

14447. If you get educated Indians going to England, sitting for the Indian Civil Service and beating the English candidates, as you say they will do if you institute simultaneous examination, what guarantee can you establish to protect yourself in the way that you have indicated in answer to question (19)?—No guarantee has hitherto been necessary.

14448. Sub-section (b) of your answer to question (24) you have amplified by your oral evidence. You say there is an impression abroad that Europeans and Anglo-Indian officers who have done good work for Government are ignored so far as appointments to listed posts are concerned?—That is an impression which may be entirely a wrong one, but it is an impression that exists.

14449. Have you made any inquiry?—I have not made any inquiry.

14450. You know of no oases?—I know no cases.

14451. You simply come and report to the Commission the general floating impression?—I have just told you the impression that exists and I say I have no knowledge of it.

14452. (*Mr. Sly.*) One part of your scheme is that after this open competition in England all the candidates shall be brought out for a period of two years' probation in a college in India?—Yes.

14453. One college?—Yes.

14454. Do you think that one college in India could successfully deal with probationers for the whole of India, having regard to the large number of vernacular languages to be taught and the different conditions in the several provinces of India?—I think the advantage of having all the Europeans and Natives of India together, with the *esprit de corps* that that would bring about, would neutralise a great many other disadvantages. Even if you had a college in each province you would not overcome the vernacular difficulty, although you might get near to it.

14455. You have been examined to some extent on this general question of the separation of the executive, judicial and magisterial functions. Has your Association considered that question from the broad standpoint?—I take it we have considered it from the broadest. We have gone into no details at all.

14456. They have given a public pronouncement on that question?—I understand that before I was a member of the Council they did address the Government on the subject, but I may be wrong.

14457. Are you prepared to put into the Commission a copy of their representation?—If one exists I will put it in, but I may be mistaken in thinking they have done so.

14458. I want to put one or two questions to you personally, not as a representative of the Association. You are a member of a firm of merchants in Calcutta?—Yes.

14459. How many years' experience have you had?—I have been eleven years in that firm and thirteen years altogether in India.

14460. Can you tell us from your experience of Calcutta commerce whether the number of Europeans employed by European business posts in superior posts of responsibility has proportionately increased or decreased?—It has certainly increased proportionately throughout Calcutta.

14461. Has the number of Indians employed in superior posts of responsibility in European firms increased or decreased?—I should think it is stationary, because it is very small.

14462. Has the number of Europeans employed in Indian business firms increased or decreased?—I have very little knowledge of Indian business firms with the exception of Messrs. Martin & Co., whose senior partner gave evidence on Saturday.

14463. You have recommended an increase of salaries of the Indian Civil Service on the ground of increased cost of living and other matters. Have the commercial firms given any increase to their European staff?—They certainly have within the last 15 or 20 years, whether by allowance or by granting commission on profits or in some way or other, though in many cases they have not nominally given it. The joining salary may be in many cases exactly the same.

14464. Do you know what percentage that increase has amounted to?—When I joined I had Rs. 250 a month, but the boys who join now have Rs. 300, and after passing language examinations and so on they can increase it by allowances to Rs. 325 with a donation of Rs. 500. There are opportunities for increasing their salaries.

14465. You cannot really state to us that the scale of salaries in the commercial world has increased by so much per cent. during recent years?—It will be difficult to say with regard to all offices, but in most offices I know there has been an increase in recent years in one form or another.

14466. (*Mr. Gokhale.*) You have told us that your Association consisted of about 1,000 members from all parts of the country. Will you tell us how many members you have from the different provinces?—That will be very difficult; I should think about 80 to 100 in Bombay City; 70 to 80 in Madras, 40 to 50 in Narayanganj, and scattered planters and Europeans about the mufassal.

14467. Do the members from the other Provinces ever attend meetings of your Association?—They have the opportunity of sending proxies and so on, but unless they happen to be in Calcutta they would not attend.

14468. The opinions that go forth in the name of your Association are really formulated by the Council here?—Yes, they must be.

14469. And the Council is principally in touch with the members who are in Bengal?—Yes; of course they correspond with other associations outside.

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14470. Have you any Anglo-Indian members or members of the domiciled community?—Yes.

14471. So that it is not like an ordinary European Association? How many of the domiciled community and Anglo-Indians have you?—I do not know.

14472. Does your Association return any member to the Bengal Legislative Council or to the Government of India's Legislative Council? No.

14473. The Government have not recognised the Association in any special manner, have they?—They send us various Government Bills and so on for criticism.

14474. But nothing more than that?—I might find something by racking my brains.

14475. Have you spent any time in any other part of India?—I was three years in the Punjab.

14476. Anywhere else?—I have toured extensively in the Central Provinces, Bombay, the Karachi District and Lahore.

14477. You do not know the vernacular languages of those provinces?—No. I was able to read and write Urdu, and I can now write Hindi.

14478. There are three points in your statement on which I should like a little more light. You said that a large proportion of the population on this side—in Bengal I suppose you meant—was semi-civilized and uncivilized?—I did not say on this side, I said in India, and I qualified it. I said I was going to say civilised or uncivilised, but I felt they were too strong terms and I said primitive and uneducated. I did not mean to be offensive.

14479. I am sure you did not. Did you mean merely to say that they were uneducated or uncivilised?—It rather depends on what you call uncivilised. According to our ideas of civilization I should say a large number of them are uncivilized. Take the Santals, take the Panchaymas, take the Bhils.

14480. But what proportion would they be in the 300 millions of India?—A very small proportion. Then take the ryot, who is little more than a labourer as a rule with no interests beyond his field or his cow; I should regard him as primitive and uneducated, not quite uncivilised, because he is in no way a savage.

14481. You do not look upon him as a savage?—No, I certainly do not call him a savage.

14482. You do not think that in domestic virtues and things of that kind he is really behind the mass of the people of other countries?—I should say he leads an extremely simple life.

14483. Before education became universal in England, would you have described your own people as uncivilised?—Certainly, the Britons of 2,000 years ago.

14484. I mean the Britons of the 19th century before the Act of 1870 was introduced. Would you have called them uncivilised?—I should have called them primitive and uneducated.

14485. Do you know that most of the influences that have led to violence in this country during the last few years have come

from abroad, either from the Continent of Europe or from America or from England?—If you are talking of absolute anarchy and the preaching of anarchy I believe a great deal of it has come from Europe.

14486. Therefore the students who go there are really not safe from these influences, are they?—I think they are safer, because they are in a country where they are rather better looked after. But I do not think you can give an anarchist any nationality at all.

14487. Indians who imbibe these ideas in the West and come back here bring these influences into this country?—I was not speaking so much of anarchy.

14488. The Provincial Service men are exposed to all the influences here that you complain of?—They are undoubtedly exposed to them.

14489. To the influences of the political agitator?—Yes.

14490. Would you say that the Provincial Service was really honeycombed with men who were under the influence of political agitators?—I know nothing about the Provincial Service.

14491. The European non-official community in this country is necessarily a most important body and during the last few years must have been constantly thinking about the future of the country and the future of British administration?—That is so.

14492. If you think that the present proportion of Indians in the Civil Service cannot be increased, if this is going to be the last word from the European non-official community to the young men of India, do you think that things will go on very much longer on the present basis? I suppose you are aware that there is a large feeling in the country that our young men must have more entry into the higher ranks of the services?—There undoubtedly is.

14493. The young men themselves have this feeling?—Certainly.

14494. If your last word to them is that the present proportion is not going to be increased, do you think things will go on long on their present basis?—I do not think it has been my last word that the present proportion is not going to be increased. What I say is that the present is not the time to do it. I do not think it is safe now to reduce the proportion of Englishmen in the Indian Civil Service.

14495. I gathered from some of your replies that it was never to be reduced?—No.

14496. (*Jir. Chaudal.*) It was very interesting to hear what you told us about your college life when you were at Cambridge. You said that both English and Indian students who were studying for the Indian Civil Service showed a lack of aptitude for athletics?—I meant that taking them all round they were not the same as the others. I was not referring to Indian candidates because there was not a single Indian candidate at my college.

14497. I thought you referred to the Indian candidates more particularly?—I was referring to the English candidates.

14498. Do you think that the inefficiency or want of administrative capacity which you find in the English Indian Civil Service officer in India is due to that lack of aptitude for

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[concluded.]

athletics?—No. I would not go so far as that, but I think the best type of British manhood, to use a catch phrase, is the type that does take an interest in athletics and thereby improve its physique.

14499. I thought you gave that as one of the reasons for the administrative capacity, that an Indian Civil Service man should have?—I think the English character has shown itself peculiarly adapted to Colonial rule.

14500. We are now speaking of nothing except English candidates, and you said that those English candidates who were studying in your time at Cambridge for the Indian Civil Service were poor specimens compared with those who were not so studying?—I thought some of them were; I am not talking of all of them. I thought they were not quite the best type of British manhood.

14501. And are any of them now administrators in the Government, or are they failures?—I do not say they are failures; in fact I believe they are successful, most of them.

14502. And some of the Indian Civil Service men whom you compared with those in your time have not been failures in India?—I did not say they were failures. I said I did not say I considered they were drawn from the best classes of British subjects.

14503. Then I do not see much force in your remark if you cannot say they were failures out in India. When you spoke of the separation of the judicial and the executive, could you say whether the duties of the Collector in Bombay or the Collector in Calcutta are in any way inferior to the duties of a Collector in a district of the mufassal?—That is hardly a question I can be expected to answer as I am not a member of the Indian Civil Service.

14504. I do not put it to you as a member of the Indian Civil Service. You have answered some questions in your written replies which directly raise this question, and you stated to us here that if the Collectors were deprived of their magisterial powers the administration would suffer. In your opinion do you consider that the duties of the Collector of Bombay or the Collector of Calcutta or of Madras, the three principal towns, are in any way less onerous and less responsible than those of a District Magistrate?—I should say they are quite as onerous.

14505. Then can you say that owing to their having no magisterial powers the administration has suffered?—No. I explained my answer, that it was with reference to the Collectors of districts where the population was more or less primitive and uneducated that it was essential they should not be deprived of their power of punishment.

14506. Do you take into account that as far as possible the administration in the Presidency towns has been carried on on the basis of a complete separation between the judicial and the executive?—I will take your word for it.

14507. We had evidence in Madras that for 15 years the magisterial duties and administrative duties of Tahsildars have been separate, and an officer called a Stationary Magistrate had taken over the charge and all the magisterial power possessed by the Executive officer?—May I ask what size district or subdivision or sub-district that particular officer controls? I know nothing about the details.

14508. It may be part of a subdivision, just as you have a Deputy Magistrate here in the lower grades. The Government officers there told us that the experiment was successful?—I believe a good many experiments have been successful in certain places.

14509. Therefore while on the one hand you find in the Presidency towns, and in this experiment of 15 years in the Madras Presidency, there is this separation, your assertion that the separation of the judicial and the executive will be a great danger to the State is only a guess?—You are confuting a statement in the abstract by one or two concrete examples of particular cases. I do not acknowledge that on the points you have put to me you have upset my statement.

14510. I think it ought to be modified. Your proposition is that, whenever an officer has executive powers, if you take them away the administration will suffer?—I did not say that. I said that where an officer has both executive and judicial powers it is a pity to deprive him of the latter because the administration would suffer.

14511. I have given you instances where it did not?—You have given me only two out of thousands.

14512. I gave you in Madras an instance of an officer who was originally invested with both powers and those powers were afterwards separated and there was no trouble at all, and I want to know whether under those circumstances you are prepared to modify your statement?—I am not.

14513. (*Mr. Mukherji.*) You referred to the aristocracy and nobility of the country: have you any considerable experience of them in Bengal?—Not a very considerable experience, but I have met members of aristocratic families in Bengal.

14514. Do you think that they produce the best types of Indian men generally?—I should hesitate to say, but I think they have it in them if they were taken away from their surroundings and educated.

14515. Do you know that as a matter of fact the Statutory Civil Service, members of which were drawn from the ranks of young men of good family and social position, failed, because they did not supply the proper kind of men?—I do not know why the service failed, but in any way it was a backdoor better done away with.

(The witness withdrew.)

(Adjourned till to-morrow at 10-30 A.M.)